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Consideration of reports submitted by States parties under article 44 of the Convention

Combined second and third periodic reports of States parties due in 2008

Gambia*

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Introduction

1. The Republic of The Gambia ratified the Convention on the Rights of the Child (CRC) on 3 August 1990. An initial report was prepared in 1997 and submitted in November 1999 (CRC/C/3/Add.61). An alternate NGO report followed in January 2001. The Committee on the Rights of the Child ("the Committee") considered the report at its 739th and 740th meetings (see CRC/C/SR.739 and 740) and adopted concluding observations at the 749th meeting in October 2001 (see CRC/C/SR.749). The concluding observations appear under CRC/C/15/Add.165.

2. This report serves as the combined second and third periodic reports. It attempts to give an objective assessment and analysis of the legal, judicial, and administrative measures taken by The Gambia to implement the CRC. It presents the situation of The Gambia's children, using available data and information as well as the existing policies and strategies designed to facilitate progress. The report also highlights the complex interplay between the law and the realities of the country. While this is the official Government report, many other organisations collaborated on it, including representatives from the Supreme Islamic Council, Gambia Christian Council, ActionAid, African Centre for Democracy and Human Rights, Aid the Children Network, APGWA, BAFROW, Child Protection Alliance, Christian Children's Fund, Female Lawyers Association of The Gambia (FLAG), The Gambia Committee on Traditional Practices (GAMCOTRAP), KEWYA, WISDOM, and others. Because of their extensive contributions there was felt to be no need for the creation of an alternative report by the NGO community at the time this report was being completed.

3. Since 2001 the most important step forward for children's rights in The Gambia is the passage of the comprehensive Children's Act on 21 July 2005. This landmark piece of legislation establishes a single definition for a child, consolidates all laws relating to the rights and welfare of children, and addresses the administration of justice, including stiff fines and imprisonment terms for offenses related to abuse or exploitation of children.

4. Other notable advances abound. Girls have reached educational parity with boys at the basic school level, and the rate of school attendance overall has increased. Vaccination rates have jumped, with measles almost eradicated. Birth registration has increased tremendously. Education about child rights has become widespread. The juvenile justice system has improved and training has reached many related professionals. Officially, children have gained a voice in rich and diverse ways.

5. Difficulties still exist. Inadequate resources, both financial and human resources, affect services provided to children. The country still lacks sufficient health workers, social workers, child psychologists, and so on; wages are too low to deter the emigration of qualified professionals to other countries. Although the Children's Act is now law, it is not fully implemented due mainly to lack of adequate funds to put into place the administrative structures needed, such as regional children's courts and rehabilitation facilities for juvenile offenders. Lack of a Department of State (Ministry) for Children hampers coordination and promotion of children's issues at the Cabinet level. Finally, cultural and religious practices make certain child protection issues extremely sensitive. These include corporal punishment, female circumcision, early or forced marriage, domestic violence, and inheritance rights.

General legal framework within which human rights are protected

6. The legal system is based on the Received English Law, which is Common Law and Equity. Customary practices and the Sharia (Muslim) laws also form part of the legal

system. Judicial powers of The Gambia are vested in the courts. These include the following:

(a) Superior courts: the Supreme Court, the Court of Appeal, and the High Court;

(b) Subordinate courts: magistrates courts, the Cadi Court, district tribunals, and such other courts as may be constituted by law;

(c) Special courts: Children's Court and the Drug Court.

7. Cadi courts have jurisdiction to apply the Sharia in matters relating to Islamic marriages, divorce, and inheritance. In the exercise of their judicial functions, all of the courts, the judges, and the other stakeholders in the judicial system are independent and are subject only to the Constitution, which is the Supreme Law of the land and other laws that apply in the country.

8. The Chief Justice, who is appointed by the President, is the head of the judiciary. He is assisted by the Attorney General and the Secretary of State for Justice, who is also appointed by the President. The Attorney General serves as a Principal Legal Adviser to the Government and has the right of an audience in all courts in The Gambia. The Attorney General's Chambers is the main collaborative institution for the protection and enjoyment of human rights. The private bar also has a vital role in ensuring that private citizens have access to the courts, in order to address incidents of human rights violations.

9. The Constitution guarantees the rights of all Gambians and people living in The Gambia. Chapter 4 of the Constitution is entirely devoted to the fundamental rights and freedoms and the judicial remedies available for redressing their violation. Compensation, in the form of liquidated damages, has been awarded to various petitioners against the police, the Executive, and other public bodies in favour of victims of human rights violations. Civil liberties have been restored on a number of occasions arising from unlawful detention, false imprisonment, and so on. The enjoyment of these rights is not, however, absolutely guaranteed in periods of national emergency or times of civil strife or other forms of conflict. In addition, despite domestic recognition of international human rights instruments, the enjoyment of these rights is subject to cultural norms and values.

10. In the application of The Gambia's municipal laws, conformity to international human rights conventions and treaties to which it is signatory is ensured. As such, in the event of conflict between municipal law and the international legal instruments, the latter often prevail. The case of Garrision vs. the Attorney General (1992), where recourse was made to the provisions of the Universal Declaration on Human Rights and the African Charter on Human and People's Rights, is a case in point, among others.

I. General measures of implementation (arts. 4, 42 and 44 (6) of the Convention)

11. The Committee on the Rights of the Child recommended in 2001 that The Gambia review existing legislation and enact a comprehensive children's code, which The Gambia succeeded in doing in 2005. The Children's Act 2005 repealed the patchwork of laws existing previously, including the Children and Young Persons Act, Adoption Act of 1992, Maintenance of Children's Act 1988 and amended provisions in the Criminal Code, Criminal Procedure Code (CPC), Wills Act, Prisons Act and Rules, Matrimonial Causes Act, and the Gambia Armed Forces Act. It addresses child rights and responsibilities, the protection of children from harm, abuse and exploitation, the care and maintenance of children, and the administration of juvenile justice and the Children's Court. Passage of this legislation represents a major accomplishment in the implementation of the CRC in The Gambia.

12. From 2002-2006, UNICEF in collaboration with the government of The Gambia carried out the Rights Promotion and Protection programme, leading to considerable progress in advancing awareness of and adherence to the CRC. This multi-faceted programme included training and sensitization on human rights, including children's rights. Hundreds of journalists, police officers, teachers, health workers, lawyers, judges, magistrates, and children benefited from the training. In 2005 a syllabus and module on rights and civic education were developed for the Gambia College School of Education; this material was integrated into the teacher training programme in 2006, ensuring that all teachers learn about child rights as part of their professional preparation. Most importantly, the Rights Promotion and Protection programme provided impetus and advocacy for the creation of the Children's Act 2005.

13. However, a National Commission on Children's Rights has yet to be established. UNICEF funded a study by a consultant from Ghana in 2001/2, resulting in a proposal detailing three possibilities: a fully independent commission, a semi-autonomous commission, or a government commission (a "Department of State for Children"). Implementation was delayed by the extremely culturally sensitive issue of whether the commission would be able to receive complaints directly from children. The Human Rights Unit of the Office of the Ombudsman is presently working on reviving the idea.

14. The Department of State for Justice has been identified as the focal point responsible for coordinating and facilitating the CRC task force, which includes representation from various NGOs. However, no formal mechanism has been set up to coordinate the implementationof the Convention. There is presently no Department of State (Ministry) for Children or National Commission for Children.

15. Since the last report, there have been a number of developments in the area of collecting data. Following the revision of the Statistical Act in 2005, the Central Statistics Department became an autonomous agency, the Gambia Bureau of Statistics (GBoS).

16. This new institution carried out The Gambia Multiple Indicator Cluster Survey (MICS) III in 2005-6 (published in 2007) in collaboration with the Department of State for Basic and Secordary Education, the Department of State for Health and Social Welfare, the Women's Bureau the National Nutrition Agency, the Department of Community Development, the Department of Water Resources and the Department of Social Welfare, with financial and technical support from UNICEF and the World Bank. Survey tools were based on the models and standards developed by the Global MICS project. The new plan is to complete a survey every three years, so the next one will take place in 2008.

17. Government agencies are collaborating with UNICEF on two additional relevant projects. They are working to establish GamInfo, a complete database of information on The Gambia, by the end of 2008. Considerable related training has already occurred. Furthermore, UNICEF and the Department of Social Welfare are in the process of setting up a national child protection database, another extremely important tool.

18. After a national workshop in December 2005, organised by the Office of the Ombudsman in collaboration with UNESCO NATCOM and UNICEF, a Human Rights Unit was established within the Office. The Office of the Ombudsman has a pivotal role in the promotion and defense of human rights in pursuit of section 163 of the 1997 Constitution of The Gambia. Chapter IV (the protection of fundamental rights and freedoms) of the Constitution is also important, particularly sections 29 and 30 where the rights of children are clearly stated. The Human Rights Unit has produced several brochures and has been working with the Department of State for Education and Curriculum Development to mainstream human rights education and gender perspective in primary and secondary schools.

19. The 2001 Concluding Observations recommended prioritizing budgetary allocations to ensure implementation of children's rights. In 2007 the Child Protection Alliance (CPA),

Pro-Poor Advocacy Group (Pro-PAG), UNICEF, and ActionAid International supported training for National Assembly members and others on Child Friendly Budgeting. While final figures are not yet in, the 2007 Budget was heavily influenced by the Government's Second Poverty Reduction Strategy Paper and the International Monetary Fund Poverty Reduction and Growth Facility Programme, with the aim of reducing poverty and meeting Millennium Development Goal targets, resulting in direct and indirect benefits to children. The Gambia reached HIPC Completion Point in December 2007, thus qualifying for Paris Club Debt relief and the Multilateral Debt Relief Initiative (MDRI). Previously IMF granted waivers for non-observance of two structural performance criteria and one quantitative criterion, enabling the release of approximately US$3.1 million in August 2007.

20. As far as the 2006 budget, total revenue increased from D2.6 billion in 2005 to D3.08 billion for 2006, a substantial increase over 2005's D2.6 billion. Expenditure and net lending fell from D3.96 billion in 2005 to 3.86 billion in 2006, with total interest payments declining to D934 million from D1.13 billion at end of 2005.

21. In the 2004 and 2005 financial years, actual Gambia Local Fund (GLF) poverty reducing expenditures reached D330.26 million, and D368.85 million respectively in line with the PRSP I objectives. With the additional disbursement of HIPC interim funds of D104.5 million, the amount was augmented to D434.76 million as actual expenditure for 2004, and distributed between the three priority sectors of Health (D49.3 million), Education (D19.8 million), and Agriculture (D15.2 million) respectively. From the GLF 2004 poverty reducing expenditures, D145.35 million was allocated to Education, D148.96 million to Health and Social Welfare, D35.92 million to Agriculture, and D1. 88 million to Natural Resources and Environment. Similarly, from the GLF 2005, D209.83 million was allocated to Education, D91.35 million to Health and Social Welfare, and D51.78 million to Agriculture and Natural Resources. This spending pattern continued in 2006.

Table 1
2004 Budget Allocations

	2004 Allocation (Budget Estimates)			*% Shares*		
			Total			*Total*
	Recurrent	*Development*	***Budget***	*Recurrent*	*Development*	***Budget***
Education	224,276	293,529	**517,805**	10.0%	17.9%	**13.3%**
Health & Social Welfare	221,880	164,471	**386,351**	9.9%	10.0%	**9.9%**
Agriculture	47,240	127,985	**175,225**	2.1%	7.8%	**4.5%**
Debt Interest	994,741	-	**994,741**	44.3%	-	**25.6%**
Others	759,687	1,052,207	**1,811,894**	33.8%	64.2%	**46.6%**
Total	**2,247,824**	**1,638,192**	**3,886,016**	**100.0%**	**100.0%**	**100.0%**

(IMF Country report, 2006).

22. As seen above, 2004 budget allocations achieved the Poverty Reduction Strategy Paper target of 25% to the priority sectors, at least if donor funds are included. Interest servicing consumed 44.3% of the recurrent budget in 2004, and official development assistance (ODA) inflow totaled approximately US$63 million.

23. In December 2007, the Secretary of State (Minister) for Finance and Economic Affairs announced that for fiscal year 2008, debt interest payments would decline to 22% of the budget (D622 million), with the share of Government Local Funds spent on poverty programmes – all directly or indirectly affecting children – to increase to about 46% of spending.

24. Addressing another point of the Committee's Concluding Observations, the Poverty Reduction Strategy Paper Second Annual Progress Report (November 2006 based on 2004 data) includes information specifically targeted toward children: education, health, including immunisation, gender, youth, and nutrition. These child-centered issues make up almost a third of the text, with education the single longest section of the report. Youth specifically were named as an important focus for the next PRSP.

25. Various government departments and NGOs have been working to publicize the principles and provisions of the CRC. For instance, in the effort to ensure that the Convention is widely known and understood by all, the Department of Social Welfare and UNICEF organised the following:

(a) Workshops for religious leaders, traditional leaders, National Assembly Members, teachers, health workers, law enforcement personnel, market vendors, taxi drivers, social workers, children, and more;

(b) Radio and television panel discussions on child rights and protection to raise awareness of the CRC among the general public;

(c) Translation of the CRC into the major local languages including Mandinka, Wolof and Fula so that all segments of society have the opportunity to read and understand it.

26. The topic of children's rights appears frequently in the media. The newspaper *Foraaya* published the entire text of the CRC and the Concluding Observations of the Committee on the Rights of the Child. The same publication also serialized the Children's Act 2005. Most of the major newspapers also feature a regular column on child rights.

27. The Child Protection Alliance (CPA), an inter-agency association of 63 member organisations, formed in 2001 to promote and protect children's rights. CPA helped establish the Child Protection Working Group of The Gambia in 2005, with representation from key sectors including health, education, the police force, the armed forces and service-providing NGOs. In partnership with UNICEF and Save the Children Sweden, a four-day course in 2006 provided practical training for 25 participants from different organisations on the Children's Act 2005 and how to implement it. Other training in 2006 on children's rights, the Children's Act 2005, and the Tourism Offenses Act 2003 reached:

- 35 religious and community leaders from the greater Banjul area;
- 35 members of the tourism industry and Tourism Security Unit;
- 300 students and 60 teachers from across Lower River (LRR) and Central River (CRR) Regions;
- 35 community leaders, senior school staff, and parent-teacher association members from the LRR and CRR;
- 25 legal practitioners;
- 50 Muslim religious and community leaders from the North Bank Region. This training focused on issues such as corporal punishment, female genital cutting, forced labour, and early marriage. As a result, imams promised to include information on child rights and child sexual abuse and exploitation in their Friday sermons, and community leaders pledged to lead related discussion at village meetings and other gatherings;
- 50 Christian leaders from the Greater Banjul Area and Weste a Region. Youth leaders attending planned to spread the word among the young people in their communities, while pastors agreed to address child sex abuse in their Sunday sermons.

- 45 opinion leaders (alkalos, chiefs, imams, etc.);
- 50 Muslim religious and community leaders from the Central River and Upper River Regions, with issues and outcomes similar to those in the North Bank Region;
- (in January 2007) 30 Muslim religious and community leaders from villages in the Western Region, with issues and outcomes similar to those in the North Bank Region;
- 50 security personnel from the Army, Police, Immigration, and National Intelligence Agencies in Lower River, Central River, and North Bank Regions;
- 50 members from Multi-Disciplinary Facilitation Teams from around the country, including nurses, public health officers, community development workers, social workers and other professionals in a position to identify and assist children at risk of being exploited or abused;
- 25 media practitioners, including a special focus on the 2005 Code of Conduct regarding cases involving children;
- 30 participants from government departments and NGOs working with girls' education and children with disabilities, to promote the educational inclusion of these populations;
- 24 Voice of the Young club members and 12 leaders;
- 35 police child welfare officers from around the country, concentrating on juvenile justice as well as child rights, child sexual abuse, and the Children's Act 2005;
- 25 teacher trainers, providing them with information and skills to pass on to fellow teachers in their locations;
- 20 female leaders and 15 girls from Western Region;
- Various workshops for a total of 105 Voice of the Young club members;
- Quarterly *bantabas* (Mandinka word for a public place for interaction and discussion) normally attended by approximately 150 children each time.

28. At the most recent bantaba, held in Bansang in the Central River Region in December 2007, 97.4% of the boys and 100% of the girls attending had heard of children's rights: 85.7% at school, 11.1% at a youth group, 1.6% on the radio and 1.6% on television. Table 2 shows the amount of knowledge the children felt they had on children's rights. All but one girl reported that they would like to learn more about the topic.

Table 2
Knowledge of Children's Rights
For those who have heard of children's rights, amount of knowledge

	Know a little		*Know quite a lot*		*Know a lot*		*Total*	
	Count	*Row %*	*Count*	*Row %*	*Count*	*Row %*	*Count*	*Row %*
Boys	27	71.1%	6	15.8%	5	13.2%	**38**	**100%**
Girls	12	46.2%	10	38.5%	4	15.4%	**26**	**100%**
Total	**39**	**60.9%**	**16**	**25%**	**9**	**14.1%**	**64**	**100%**

Child Protective Alliance (CPA), Children's Bantaba (December 2007)

29. In 2007, CPA, Pro-PAG, ActionAid, and UNICEF sponsored eight days of training on child rights for National Assembly members. This training included a review of the CRC and group work examining the 2001 Concluding Observations to determine which

recommendations had or had not been fulfilled by The Gambia and how the National Assembly could help ensure complete implementation of the CRC.

30. To reach more of the population, Gambia Radio and Television Services (GRTS), CPA, West Coast Radio, and Voice of the Young created five television and twelve radio programs in 2006, featuring members of Voice of the Young clubs and providing information on child rights and related topics in Mandinka and Wolof as well as English.

31. The Human Rights Unit of the Office of the Ombudsman has been working on developing a curriculum for human rights education in the schools since the end of 2005. An initial workshop sponsored by UNICEF and UNESCO NATCOM resulted in the creation of the Unit. Arrangements have been completed for organising training workshops at pilot schools already identified in all six regions of the country, to be funded by UNDP under the good governance programme of UNDAF. In October of 2007, the Office of the Ombudsman signed a Memorandum of Understanding with SOS Children's Villages The Gambia as an implementing partner to create human rights clubs in all senior secondary schools. The Office of the Ombudsman is also working closely with the Department of State for Education and Curriculum Development to do the following:

- Prepare guidelines and standards that incorporate the best practices in human rights education in both primary and secondary schools.
- Develop content relevant to the situation of human rights issues in The Gambia, with the assistance of content and structure specialists for the methodology and framework required to infuse human rights education and gender mainstreaming in the school system.
- Offer further training for teachers and school heads on the development of the school curriculum.
- Provide the framework and materials for the training of trainers.
- Work closely with relevant local NGOs.

32. Conduct a national consultative workshop for the adopting of gender mainstreaming and human rights education in the school curriculum.

33. In terms of international assistance, the volume of Official Development Assistance (ODA) declined from US $92.3 million in 1999 to $60.5 million in 2003 (The Gambia Millennium Development Goals Report, 2003 and UNDP Human Development Report 2004). ODA inflow in 2004 increased to US $63 million (IMF Poverty Reduction Strategy Paper 2006). From 2002-2006, UNICEF made about US $11 million available to the Government of The Gambia for projects in child health, nutrition, education – especially girls' education – early childhood development, child protection and child rights promotion, water and sanitation, immunisation, and birth registration. A similar amount will be provided to the Government for the period 2007-2011. From 2002-2006, UNFPA provided US $300,000, mainly for adolescent reproductive health activities. The World Food Programme contributed a little over US $8 million from 2004-2007 and plans to provide US $9 million for the period 2007-2011 for school feeding programmes in The Gambia. The above totals are amounts targeted specifically for areas related to children's rights and the CRC.

34. In 2002 The Gambia received D80 million from the Heavily-Indebted Poor Countries (HIPC) initiative; 64% of this was spent on priority sectors that directly or indirectly affect children, including education, health, employment, and agriculture (The Gambia Millennium Development Goals Report, 2003). In late 2007, IMF released approximately US$3.1 million; it remains to be seen how this welcome relief can be best utilised.

35. Children in The Gambia have several avenues for seeking assistance if their rights are violated. There is a child helpline at the Children's Centre in Bakotch. The number is easy for children to remember: 199. Promotion of the service is ongoing, with exposure on radio and television. In cases of sexual abuse, exploitation, abandonment, neglect or abuse, the matter can be reported to the Gambia Police Force. Every police station in the country now has a Child Welfare Unit. In most cases, the police immediately report the matter to the Department of Social Welfare for the care and protection of the child, as well as counseling for the parents.

36. In addition, the Children's Act 2005 states in Section 168 that "there shall be a court to be known as the Children's Court in every division..." Presently there is only one children's court, in Kanifing municipality; however, the judiciary in collaboration with other stakeholders plans to establish these courts in every Region. Proceedings in the children's court are flexible and not subjected to the rigid rules of procedure in the regular courts. They are not open to the public and no one is allowed to publish information that may lead to the identification of a child.

37. In other cases, disputes may be addressed locally at Mediation Centres established throughout the country by the African Centre for Democracy and Human Rights Studies (ACDHRS) in partnership with the Department of Social Welfare. These centres feature a friendly atmosphere allowing conflicts to be dealt with promptly and without lasting animosity. Family matters dealing with child support, maintenance and welfare can be settled amicably, allowing children to enjoy a better life.

38. There is no national Human Rights Commission. However, the African Centre for Democracy and Human Rights Studies, based in the Greater Banjul Area, is an independent, pan-African human rights NGO that functions as the implementing arm of the African Commission on Human and Peoples' Rights (ACHPR) of the African Union in the promotion of human rights principles. The mandate of the Centre is enshrined in Article 25 of the African Charter, which reads:

> "Promote and ensure through teaching, education and publication respect of the rights and freedoms contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood."

39. Thus the African Centre seeks to promote awareness of and adherence to human rights principles throughout the continent through training, advocacy, networking, action-oriented research, publications, and documentation. The African Centre has Observer status with the ACHPR and consultative status with the Economic and Social Council of the United Nations. The Centre is governed by a council comprising eminent African personalities with vast experience in the field of human rights and democracy issues in Africa. An Executive Committee composed of members from all over Africa works closely with the Executive Director of the Centre, who selects council members.

40. The Centre works closely with CPA and other groups promoting child rights, providing resource persons for training programmes, participating in international events such as the Day of the African Child, and supporting child-centric organisations such as Youth Ambassadors for Peace. The Centre also collaborates with the Department of Social Welfare and participates in the NGO Forum of the ACHPR, which focuses on issues such as child trafficking children in armed conflicts, child labour, and so on.

41. The Centre endeavours to mainstream children's issues in all its activities, recently helping to form the Gender Action Team, a body still in its infancy, but poised to monitor the implementation of gender issues particularly as they relate to the girl child. The Centre has also spearheaded lobbying for the full ratification of the Protocol on the Rights of Women in collaboration with other local institutions in hopes that the Women's Bill will address the issue of FGM and other practices that still persist.

42. To prepare the present report, representatives from the Department of State for Justice and UNICEF organised a task force, including participants from eight government departments, the Gambia Police Force, UNICEF, CPA, and the ACDHRS. The international NGO ActionAid was also invited to participate. Earlier in the year, National Assembly members had discussed the 2001 Concluding Observations as they relate to the periodic report. Members of the task force contributed additional material based on the activities of their bureaus or organisations. CPA gathered input from children at one of its quarterly bantabas in the interior of the country. In addition, CPA and UNICEF held an interactive two-day workshop on the CRC and the periodic report, attended by 26 children from the Greater Banjul Area. UNICEF assisted in finding a consultant to coordinate and assemble all of the contributions. After the second draft of the report was prepared, a validation workshop was held, attended by over 50 participants from government, including National Assembly members, permanent secretaries, representatives from a wide range of NGOs, the Supreme Islamic Council and others. Based on the workshop discussion and follow-up, a final report was prepared for submission.

II. Definition of the child (art. 1)

43. The enactment of the Children's Act 2005 makes provision for a standard definition of the child in accordance with the CRC and other similar international instruments. The Children's Act 2005 defines a child as:

> "A person under the age of eighteen years".

44. The above definition seems to harmonize with what we have in the Constitution, which states that:

> "Every citizen of The Gambia being of eighteen years or older and of sound mind shall have the right to vote for purposes of elections."

45. Establishing the age of 18 as the standard for when a person is considered mature enough to vote implies that if one is below this, then one is considered a child and not capable of adult responsibilities such as voting.

46. The Children's Act 2005 establishes 16 years old as the minimum age for employment in the form of "light work" ("work which is not likely to be harmful to the health or development of the child and does not affect the child's attendance at school or the capacity of the child to benefit from school work").

47. The Armed Forces Act stipulates that a child below 18 years old should not be recruited into the Army. Likewise, Section 59(1) and (2) of the Children's Act 2005 states that:

> "A child shall not be recruited into the any of the branches of the armed forces of The Gambia or other security agencies."
>
> "The government or any other relevant agency or body shall ensure that no child is directly involved in any military operations or hostilities."

Number of children in The Gambia

48. The 2003 Population and Housing Census, carried out by the Gambia Bureau of Statistics (GBoS) revealed the following:

- There were 571,000 children under age 15, 42% of the total population of 1,360,000;
- There were 294,000 youth ages 15-24, making up 21.6% of the population;

- 50.4% of the total population lived in urban areas (686,000 people) and 49.6% in rural areas (675,000 people);
- The population growth rate from 1983 to 1993 was 4.2%; from 1993-2003 it declined to 2.7% (GPHC 2003).

49. The most recent UNICEF State of the World's Children report (2007) listed a projected population in The Gambia of 1.517 million people, with 49% of the population under the age of 18. They considered 26% of the population to be urbanized. Since the trend is toward urbanization rather than the opposite, we can only conclude that GBoS and UNICEF define urban areas differently.

50. Ethnic and religious composition of The Gambia has remained similar to the last report, with about 95% of the population Muslim and 5% Christian and other religions. The main ethnic groups are Mandinka (39.5%), Fula (18.8%), Wolof (14.6%), Jola (10.6%), Serahule (8.9%), Serere (2.8%), Aku (1.8%), Bambara (0.7%) and other smaller groups. Approximately 1% of the population is non-African.

III. General principles (arts. 2, 3, 6 and 12)

A. Non-discrimination (art. 2)

51. The Children's Act 2005 begins to address the criteria set out in article two of the Convention in relation to elimination of all forms of discrimination against children by setting out the rights of every child. Part II of the Children's Act 2005 adds to the rights guaranteed under Chapter 4 of the 1997 Constitution of The Gambia. For instance, section 8 of Children's Act states that:

> "Every child has a right to acquire a nationality"

52. Section 19 specifies that:

> "No child shall be subjected to any social and cultural practises that affects the welfare, dignity normal growth and development of the child and in particular those customs and practices that are:
>
> (a) Prejudicial to the health and life of the child; and
>
> (b) Discriminatory to the child on the grounds of sex or other status."

53. Section 21(2) states that:

> "It shall be the duty of any person having custody of a child to protect the child from discrimination, violence abuse and neglect."

54. In eliminating discrimination based on gender, the growth in the number of female students in the education system is one of The Gambia's success stories. At the basic school level girls are now at parity with boys. The "Big Bang Education Campaign" in 2002 focused specifically on rural areas, trying to reach the last 10% of children not in school and encouraging parents to enroll their daughters. Also in 2002, the Head of State launched the President's Empowerment of Girls Education Project (PEGEP), which provides sponsorship for girls in schools from grades 1 to 12. The Girls Education Scholarship Trust Fund and the Girl Friendly School Initiative are additional programmes contributing to an increase in the enrolment and retention of girls in school; with the success of the Girl Friendly School Initiative, the programme has now been changed to the Child Friendly School Initiative.

Table 3

Education Gender Parity

Ratio of girls to boys attending primary education and ratio of girls to boys attending secondary education, The Gambia, 2006

	Primary school net attendance ratio, girls	*Primary school net attendance ratio, boys*	*Gender parity index for primary school NAR**	*Secondary school net attendance ratio, girls*	*Secondary school net attendance ratio, boys*	*Gender parity index for secondary school NAR**
LGA						
Banjul	80.2	73.8	1.09	56.8	55.0	1.03
Kanifing	71.7	75.6	.95	48.3	58.7	.82
Brikama	71.3	72.5	.98	42.0	44.6	.94
Mansakonko	66.2	45.9	1.44	29.8	25.4	1.17
Kerewan	47.8	51.1	.94	25.3	30.7	.82
Kuntaur	46.3	36.2	1.28	15.4	25.5	.60
Janjangbureh	64.7	51.1	1.27	23.4	27.6	.85
Basse	45.2	48.0	.94	12.6	17.1	.74
Residence						
Urban	72.4	74.8	.97	49.2	56.1	.88
Rural	56.6	52.8	1.07	23.8	29.1	.82
Mother's education						
None	58.6	56.8	1.03	32.3	37.9	.85
Primary	71.4	69.4	1.03	41.8	36.9	1.13
Secondary +	81.7	79.6	1.03	54.7	60.0	.91
Wealth index quintiles						
Poorest	46.3	42.6	1.09	14.2	20.8	.68
Second	61.4	58.9	1.04	28.5	35.1	.81
Middle	59.5	63.4	.94	30.9	34.5	.90
Fourth	68.5	67.6	1.01	36.6	42.4	.86
Richest	79.0	72.3	1.09	57.9	60.7	.95
Ethnic group of head of household						
Mandinka	66.3	63.7	1.04	38.0	43.0	.88
Wollof	53.6	52.5	1.02	31.5	37.4	.84
Fula	54.8	51.9	1.06	26.1	36.4	.72
Jola	69.4	76.5	91	45.1	46.8	.96
Serer	68.7	63.4	1.08	49.0	47.3	1.04
Other ethnic group	61.3	56.8	1.08	25.4	29.5	.86
Total	**61.9**	**60.0**	**1.03**	**34.0**	**39.2**	**.87**

* MICS Indicator 61; MDG Indicator 9.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

55. Sharia law contains some provisions that allow for different treatment of men and women. For instance, a female child can only inherit half the share of a male child. Under the proposed Women's Bill, 2007, PART IX states that women and men shall have the right

to inherit, in equitable shares, their parents' properties. If enacted, this could change the current practice of inheritance in The Gambia.

56. Traditional practices of female circumcision discriminate against girls and harm their health. The Children's Act 2005 in Part II, section 19 prohibits "any social and cultural practices that affect the welfare, dignity, normal growth and development of the child." However, FGM still affects a majority of Gambian women (see paragraphs 86 and following for more on this topic). Other discriminatory traditional practices include early and forced marriages. (For the incidence of early marriage, see table following paragraph 158).

57. In terms of domestic violence, various organisations such as APGWA, BAFROW, FAWEGAM, GAMCOTRAP, KEWYA, and WISDOM are working to promote change in the attitudes and behaviours that result in violence against females. In 2007 Pro-Hope International, The Gambia (PHIN) also trained 32 peer educators in gender sensitivity; these include members of the Gambia Press Union, the Gambia Teachers Union, and representatives from a number of other organisations for women and youth.

58. The Office of the Ombudsman Human Rights Unit has prepared a brochure on "Power Imbalance and Gender Inequalities" and is working with the Department of State for Education on mainstreaming gender perspective into primary and secondary school curricula.

59. Overall the UNDP 2007/8 Human Development Report gives The Gambia's gender-related development index as 0.496, slightly below the overall HDI (Human Development Index) of 0.502. In summary, the situation for women and girls has improved since the last CRC report, but there is still room for additional progress.

60. An additional step recommended by the CRC report justice and law enforcement working group to further implement the principle of non-discrimination would be to remove identification of the child's ethnicity on maternity and children's cards.

B. Best interests of the child (art. 3)

61. The principle of the best interests of the child is best enunciated in the Children's Act 2005, Part I, section 3, cited as the "welfare principle":

> "The best interest of the child shall be the paramount consideration by any court, institution, person or other body in determining any question concerning a child"

62. This language goes beyond that of the CRC, which states simply that the best interests of the child should be a primary consideration.

63. The Children's Act 2005 elaborates in section 2-2(a)-(e) that the above provision can be achieved by taking into consider the following:

(a) Any harm that the child has suffered or is at the risk of suffering;

(b) The ascertainable wishes and the feelings of the child concerned, considered in the light of his or her age and understanding;

(c) The child's physical, emotional and educational needs;

(d) The likely effect of any changes in the child's circumstances;

(e) The child's age, sex, background and any other circumstances relevant in the matter;

(f) Where relevant, the capacity of the child's parents or guardian or any other person involved in the care of the child in meeting the child's needs.

64. Also section 4(1) and (2) of the same Act further call for a child to be given such protection and care as is necessary for his or her well-being.

65. The position of Islam personal law with regards to the maintenance of a child remains the same as in the initial report. However, the Children's Act 2005 makes adequate provisions with respect to child maintenance, access to and custody of children. The Act establishes the Children's Court as the place to apply for a maintenance order, and sets out considerations for the Court. In addition, section 164 (1) says that a Children's Court "may direct a Social Welfare Officer to prepare a social enquiry report on the issue of maintenance" and the Court shall, "in making any order, consider the social enquiry report prepared by the Social Welfare Officer."

66. Section 161(1) of the Children's Act 2005 recognizes the rights and responsibilities of both parents. It states:

> "In all cases of divorce, separation or nullification of marriage both parents shall continue to maintain and educate their child".

67. Section 161(2) further states that:

> "Even if the child is under the custody of one parent, the other shall have access to the child unless otherwise stated by the courts".

C. The right to life, survival and development (art. 6)

68. Comprehensive, disaggregated data on the causes of child mortality is difficult to find. Statistics on child traffic fatalities are not compiled, although they do occur regularly. Violence against infants and children is thought to be underreported because of cultural factors; suicide would seldom be identified as such. Children are not executed or sentenced to capital punishment in The Gambia.

69. In 2003, the main known causes of childhood mortality in The Gambia were malaria, acute respiratory infections (mostly pneumonia), diarrhoea, measles, and malnutrition, with 70% of all childhood deaths associated with one or more of these five conditions (RCH Strategic Plan, 2004). The National Census Report 2003 listed infant mortality at 75 per 1000 live births in 2003; the MICS III report found a higher rate (see detailed table, paragraph 130). Since that time, measles has been all but eradicated through successful vaccination campaigns; there has not been a single laboratory confirmed case of the disease from 2005 to the present.

70. Levels of infant and under-five mortality are almost twice as high for children of women with no education that for those with at least a secondary school education. They are markedly higher in rural than urban areas. The mortality rate for children from the poorest families is nearly double that of children from the richest families. For more on this topic, see paragraph 130.

71. In 2001 the main causes of deaths from late pregnancy through the first four weeks of life included the following:

- Poor maternal health and nutrition;
- Inadequate antenatal care;
- Inadequate management of complications during pregnancy and delivery;
- Unhygienic practices during and immediately after childbirth;
- Inappropriate care of the newborn (MMS/CPR 2001).

72. As of 2005-6, antenatal care had become nearly universal, with 99% of pregnant women accessing services (see paragraph 155).

73. Malaria continues to be the main cause of child mortality after the perinatal period. In rural communities, malaria causes 105 deaths per 1,000 live births (WHO, Annual Report 2002, p.15) while nationally malaria causes about 4% of deaths in infants and 25% in children aged between 1-4 years. Malaria is also the main cause of anaemia, which for pregnant women can result in low birth weight and many other maternal complications. The Global Fund to Fight AIDS, Tuberculosis and Malaria has provided US $ 10,389,134 since 2004 to scale up the prevention and treatment of malaria. As a result:

- 17,798 pregnant women are now on Intermittent Preventive Treatment (IPT) in the coastal areas (384% of target);
- 65,649 insecticide treated bed-nets (ITNs) have been distributed to children under 5 years (98% of target);
- 14,276 ITNs have been distributed to pregnant women (130% of target);
- 250,090 people have been reached through mass media campaigns on correct case management (130% of target).

D. Respect for the views of the child (art. 12)

74. The Children's Act 2005 states in Part II, section 17 that:

> "A child capable of forming views has the right to express an opinion, to be listened to, and to participate in decisions which affect his or her well-being, the opinion of the child being given due weight in accordance with the age and maturity of the child."

75. The Gambia has made tremendous progress in this area. The list of ways that children are given a voice would fill an entire report by itself. In 2003, UNICEF sponsored the 3rd National Forum on Children and the first-ever constituent assembly of children. The NFC allowed children to review and provide input on key national documents – the National Policy on Children and the Concept Paper, as well as to dialogue with adults including members of the National Assembly, led by the Deputy Speaker and the Minority Leader in the National Assembly. During the constituent assembly, the children adopted the Constitution to set up a Children's National Assembly of The Gambia; this has not yet come to fruition, but demonstrates the very high level at which children have an official voice. The Department of State for Basic and Secondary Education included children in the current educational policy formulation process. Three children formed part of the official delegation to the World Summit for Children. A Young People in the Media group encourages the participation of children, while the National Youth Parliament, founded in 2002, meets twice a year to discuss issues of relevance to their welfare. All schools – basic and secondary – have student councils or bodies that participate in school management and administration.

76. The Department of Social Welfare with the assistance of UNICEF has developed a communication strategy on child rights and protection, which aims to raise public awareness and change perceptions towards children, promoting respect for children's views on issues concerning them. Within the Department, the views of the child are always taken into consideration, especially in matters of adoption and cases of abuse and exploitation.

77. CPA and other organisations promoting children's rights carry out a systematic and ongoing programme of workshops and training throughout the country. CPA also supports Voice of the Young clubs and holds quarterly bantabas, where children can be heard. The Gambia participates in the International Children's Day of Broadcasting (ICDB), and children have publicly met with the President of The Gambia as part of the celebration, demonstrating high-level support for the importance of listening to children's views. Gambia Television and Radio Services won the ICDB regional prize in 2007.

78. In spite of many positive developments, however, children's opinions are not necessarily considered relevant or valuable at home or school, as seen in the survey results that follow from the December, 2007 CPA Children's Bantaba in the Central River Region. Traditional views still limit the full implementation of this article.

Table 4
Do Adults Listen?
Do you feel adults listen to what you have to say and to what you think?

	Adults always listen		*Adults sometimes listen*		*Adults never listen*		*Total*	
	Count	*Row %*	*Count*	*Row %*	*Count*	*Row %*	***Count***	***Row %***
Boys	9	23.1%	27	69.2%	3	7.7%	**38**	**100%**
Girls	2	8.0%	20	80%	3	12.0%	**26**	**100%**
Total	**11**	**17.2%**	**47**	**73.4%**	**6**	**9.4%**	**64**	**100%**

Child Protective Alliance (CPA), Children's Bantaba (December 2007).

Table 5
Which Adults Listen?
Which adults are most likely to listen to your opinion?

	Boys		*Girls*		*Total*	
	Count	*Column %*	*Count*	*Column %*	***Count***	***Column %***
Teacher	14	35.9%	13	52%	**27**	**42.2%**
Head teacher	8	20.5%	6	24%	**14**	**21.9%**
Parent	32	82.1%	14	56%	**46**	**71.9%**
Aunt/Uncle	9	23.1%	4	16%	**13**	**20.3%**
Older brother/sister	10	25.6%	6	24%	**16**	**25%**
Youth leader	10	25.6%	3	12%	**13**	**20.3%**
Someone else	0		0		**0**	
Friend	3	7.7%	0	0%	**3**	**4.7%**

Child Protective Alliance (CPA), Children's Bantaba (December 2007).

IV. Civil rights and freedoms (arts. 7, 8, 13–17 and 37(a))

A. Name and nationality (art. 7)

79. Progress is being made in terms of birth registrations; the rate jumped from 32% (MICS II 2000) to 55% (MICS III 2007). In certain areas, the change was even more dramatic, particularly following the decentralization of the registration process. With the support of UNICEF a village-to-village birth registration campaign was conducted in the Lower River Region in 2003. The birth registration rate in the Region rose from 11% to 61% in just ten days. Also in 2003 a mini-campaign was conducted in the Banjul and the Kanifing Municipal Councils, with over 3,000 children under five registered in a single day. In 2004, after intense advocacy efforts, birth registration was integrated into the Reproductive and Child Health unit (RCH). UNICEF provided US$20,000 for the acquisition of birth registration materials and orientation of over 130 RCH staff whilst 42 existing health facilities and registration centres have been supplied with birth certificates and related supplies. Most recently, a 2007 registration campaign in the Upper River

Region made a dramatic difference, raising the level from 39% to 76%. The following tables from the 2007 MICS-III report give an overall picture of rates of registration of young children.

Table 6

Birth Registration

Percentage distribution of children aged 0-59 months by whether birth is registered and reasons for non-registration, The Gambia, 2006

			Birth is not registered because									
	Birth is registered*	Number of children aged 0-59 months	Costs too much	Must travel too far	Didn't know child should be registered	Late, did not want to pay fine	Doesn't know where to register	Other	Don't know	Missing	Total	Number of children aged 0-59 months without birth registration
Sex												
Male	56.8	3346	10.7	13.6	28.5	7.0	21.6	11.4	6.4	.8	**100.0**	522
Female	53.2	3197	9.3	15.4	27.1	6.5	24.1	9.5	6.2	1.8	**100.0**	511
LGA												
Banjul	76.9	196	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	**(*)**	11
Kanifing	54.9	1508	2.6	4.5	14.2	5.2	32.9	20.0	18.1	2.6	**100.0**	164
Brikama	55.8	1425	15.4	16.8	5.4	2.4	25.3	22.5	8.6	3.6	**100.0**	134
Mansakonko	86.4	406	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	**(*)**	16
Kerewan	48.0	826	6.8	28.9	8.7	6.8	6.0	23.9	18.0	.8	**100.0**	112
Kuntaur	52.5	502	25.0	21.1	16.4	15.6	14.1	6.3	.0	1.6	**100.0**	147
Janjangbureh	62.2	682	18.4	32.9	22.4	.0	22.4	3.9	.0	.0	**100.0**	69
Basse	39.4	999	4.1	8.1	53.1	7.2	25.5	1.1	.7	.2	**100.0**	379
Residence												
Urban	57.1	2303	4.3	5.9	15.5	5.0	31.9	17.2	17.5	2.6	**100.0**	221
Rural	53.9	4240	11.6	16.8	31.2	7.2	20.4	8.6	3.2	.9	**100.0**	812
Age												
0-11 months	40.0	1547	8.1	14.9	25.3	6.0	22.8	14.6	6.6	1.7	**100.0**	290
12-23 months	55.5	1486	12.0	14.1	24.2	9.2	23.1	10.1	6.1	1.2	**100.0**	239
24-35 months	59.2	1369	9.7	13.0	33.4	4.9	24.5	8.5	4.9	1.0	**100.0**	202
36-47 months	62.1	1247	11.7	15.1	25.2	9.3	20.4	8.9	8.1	1.2	**100.0**	182
48-59 months	64.2	893	8.6	15.9	35.8	3.2	23.2	6.9	5.6	.9	**100.0**	120

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

Table 7

Birth Registration (Additional Data)

Percentage distribution of children aged 0-59 months by whether birth is registered and reasons for non-registration, The Gambia, 2006

			Birth is not registered because									
	Birth is registered*	Number of children aged 0-59 months	Costs too much	Must travel too far	Didn't know child should be registered	Late did not want to pay fine	Doesn't know where to register	Other	Don't know	Missing	Total	Number of children aged 0-59 months without birth registration
Mother's education												
None	53.6	4923	9.7	14.5	29.9	6.9	23.7	9.3	5.0	1.1	**100.0**	901
Primary	58.6	710	14.2	16.9	17.1	6.9	20.6	14.2	10.1	.0	**100.0**	69
Secondary +	60.2	911	9.9	12.3	9.8	5.1	13.5	23.7	20.6	5.1	**100.0**	63
Wealth index quintiles												
Poorest	52.1	1532	18.7	21.0	22.1	8.8	20.1	7.2	1.4	.7	**100.0**	330
Second	58.7	1337	8.6	20.4	20.9	8.1	15.6	15.3	10.6	.4	**100.0**	180
Middle	50.6	1344	6.6	12.1	37.7	5.0	21.5	11.1	4.0	1.9	**100.0**	256
Fourth	51.5	1248	3.7	6.0	37.3	4.5	29.6	8.8	9.2	1.0	**100.0**	192
Richest	64.3	1082	2.9	1.4	11.4	6.5	39.7	15.6	18.1	4.3	**100.0**	74
Ethnicity												
Mandinka	59.3	2254	8.3	16.4	16.1	11.3	26.6	13.4	6.8	1.2	**100.0**	244
Wollof	60.2	870	21.5	16.3	10.9	7.1	15.7	12.8	10.8	4.9	**100.0**	103
Fula	48.5	1494	14.7	17.2	23.5	7.1	22.8	9.7	4.3	.7	**100.0**	306
Jola	59.5	596	5.2	19.7	10.5	5.2	13.5	31.4	12.7	1.7	**100.0**	62
Serer	52.7	212	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	**(*)**	18
Other ethnic group	49.2	1117	4.3	9.0	51.8	3.3	23.7	3.8	3.4	.6	**100.0**	300
Total	**55.1**	**6543**	**10.0**	**14.5**	**27.8**	**6.8**	**22.8**	**10.5**	**6.3**	**1.3**	**100.0**	**1033**

* MICS indicator 62.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

80. The recent CPA Children's Bantaba in Bansang revealed a higher percentage of children with birth certificates: nearly 72% of the boys and just over 73% of the girls. This can be explained by the fact that older children have had more opportunities to obtain a certificate over the years.

81. The challenge remains to raise awareness of the importance of registering all births as soon as possible. Birth registration has not yet become completely routine; families may wait until they have to register for school or try to obtain travel documents. However, substantial progress is being made.

B. Preservation of identity (art. 8)

82. In article 8 of the CRC, a child's identity is said to comprise, in part, nationality, name, and family relations. The Children's Act 2005 has the following related sections:

- Part II, section 7: "Every child has the right to a name…"

- Part II, section 8: "Every child has a right to acquire a nationality."
- Part II, section 10: "... no child shall be subject to arbitrary or unlawful interference with his or her privacy, family life, home ..."
- Part II, section 11 (2): "No child shall be separated from his or her parents against the will of the child except when a judicial authority determines... that the separation is in the best interest of the child." and (3) "Every child who is separated from one or both parents has the right to maintain personal relations and direct contact with both parents on a regular basis."

83. In addition, children have the right to apply to a Children's Court to an order to confirm parentage (Part XI, section 136). Thus, the legal structure exists to protect a child's identity in The Gambia.

C. Freedom of expression (art. 13)

84. Freedom of expression is guaranteed by the Constitution, and affirmed in the Children's Act 2005, which states in Part II, section 17 that children capable of forming views have the right:

> "...to express an opinion, to be listened to, and to participate in decisions which affect his or her well-being..."

(See paras. 74-78 for more on this topic).

D. Freedom of thought, conscience and religion (art. 14)

85. Freedom of religion is guaranteed under the Constitution and exists in practice. Children often follow the religion of their parents, but it is legal for them to convert to a different religion if desired. Many children practice one religion and attend a school sponsored by another religious group. The peace and harmony that exists in The Gambia between different religions is exemplary.

E. Freedom of association and of peaceful assembly (art. 15)

86. The Constitution of The Gambia upholds everyone's right to freedom of association and peaceful assembly, including children. Children enjoy a wide range of youth clubs and associations and participate in the activities and gatherings of their choice.

F. Protection of privacy (art. 16)

87. The Children's Act 2005 establishes that:

> "No child shall be subject to arbitrary or unlawful interference with his or her privacy..."

88. However, this provision is somewhat ambiguous and could be subject to a variety of interpretations.

89. CPA sponsored a training course in 2006 in which the 25 participants collectively developed a generic confidentiality policy that can be used throughout the country to create a child-protective and private environment for care. At home, however, children who live in crowded, inadequate situations have little possibility of privacy.

G. Access to appropriate information (art. 17)

90. The National Library has two branches, and both the University of The Gambia and Gambia College operate libraries. Several community libraries exist, including in low-income, high-density areas such as Bakau and Serrekunda. The number of libraries in basic and secondary schools has not been tabulated, and the country's two mobile libraries have been grounded since 2004 because of lack of resources. In the Greater Banjul Area and elsewhere, used books may be found for sale in many places; new books are expensive and out of reach for many families.

91. Some schools have Internet facilities, and there are numerous Internet cafes throughout the country, although more are concentrated in the Greater Banjul Area. Fees vary, but average about 10 to 15 dalasis per hour with lower costs for shorter times. Parents and teachers can watch over children while they use the Internet at home or school; however, use at Internet cafes may be unmonitored, exposing children to questionable sites and possible dangers. This presents a challenge that needs to be addressed.

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (art. 37 (a))

1. Corporal Punishment

92. With respect to CRC article 37 (a), corporal punishment is not illegal and continues to be practiced in The Gambia. Under common law, parents and guardians can "reasonably chastise" their children. At school, procedures restrict corporal punishment: it is to be administered only by or in the presence of the head teacher, to female pupils only in exceptional circumstances, and logged in a designated book (Education Regulations of Education Act Cap. 46, Section 15 – 1990). The Department of State for Basic and Secondary Education also developed and distributed guidelines for maintaining discipline in schools without using corporal punishment (see paragraph 85). In the justice system, corporal punishment is not prohibited as a sentence for a crime or a disciplinary measure in juvenile detention facilities.

93. The Children's Act 2005 states in Part II, section 19 that:

> "No child shall be subjected to any social and cultural practices that affect the welfare, dignity, normal growth and development of the child..."

94. Furthermore, Part III, section 22 (c) states that parents have the duty to:

> "Ensure that domestic discipline is administered with humanity and in a manner consistent with the inherent dignity of the child."

95. Nevertheless, a 2005 Survey of Corporal Punishment in The Gambia funded by Save The Children Sweden Regional Office in Dakar in collaboration with CPA revealed that, according to children surveyed, 69.7% of schools use corporal punishment. There was no sex difference in reporting, and this figure was consistent at each educational level and location. Only 10.2% of students reported not being beaten or subjected to other punishments by their teacher. More boys (21.9%) than girls (15.6%) reported being beaten by teachers often or very often. 80.8% of teachers think that corporal punishment is an effective or very effective discipline strategy, although only 57.9% reported that they would use it. The CPA Children's Bantaba indicated an even higher percentage of schools using corporal punishment, although figures varied significantly between boys and girls.

Table 8
Corporal Punishment at School
Does your school use corporal punishment?

	Yes		No		Total	
	Count	*Row %*	*Count*	*Row %*	*Count*	*Row %*
Boys	33	84.6%	6	15.4%	39	100%
Girls	16	64%	9	36%	25	100%
Total	**49**	**76.6%**	**15**	**23.4%**	**64**	**100%**

Child Protective Alliance (CPA), Children's Bantaba (December 2007).

Table 9
Type of Punishment
For those answering yes, how are students punished? (can indicate more than one)

	Boys		Girls		Total	
	Count	*Row %*	*Count*	*Row %*	*Count*	*Row %*
Beating	25	67.6%	12	32.4%	37	100%
Monkey dance	12	20.5%	1	7.7%	13	100%
Kneeling under the hot sun	19	82.1%	7	26.9%	26	100%
Cutting grass in school grounds	2	100%	0	0%	2	100%
Total children answering	**33**	**67.3%**	**16**	**32.7%**	**49**	**100%**

Child Protective Alliance (CPA), Children's Bantaba (December 2007).

96. Returning to the 2005 Survey of Corporal Punishment in The Gambia, more than half of the children surveyed (59.4%) said that they believe or strongly believe that corporal punishment is the only thing that children understand when they disobey. A similar number (58.4%) believed or strongly believed that corporal punishment is an effective form of discipline.

97. In interviews with parents, 22.9% said that they beat their children very often. 78.8% of parents believe or strongly believe that corporal punishment is a normal method of child rearing and a similar proportion (78.2%) say that corporal punishment should not be banned in homes or families, with 76.9% believing that it should not be banned in schools.

98. While there is still a long way to go, in 2006 UNICEF and the government of The Gambia produced a guide for teachers, Promoting Alternative Discipline. This easy-to-read booklet provides suggestions and positive examples of effective discipline in the classroom. UNICEF also funded the printing and launching of the Survey.

2. Female Genital Mutilation

99. The practice of female genital mutilation (FGM) continues, as seen in the table that follows, in spite of the provision in the Children's Act 2005 that says:

> "No child shall be subjected to any social and cultural practices that affect the welfare, dignity, normal growth and development of the child and, in particular, those customs and practices that are:
>
> (a) Prejudicial to the health and life of the child; and

(b) Discriminatory to the child on the grounds of sex or other status."

100. A court case related to FGM has been pending since 2002. In late December 2007 another case related to FGM was reported at the Basse Police station.

101. The Department of State for Basic and Secondary Education is working with the Gambia Committee on Traditional Practices (GAMCOTRAP) to add a module on traditional practices to school curricula to create awareness about the effects of FGM, early marriage, and gender discrimination. Various NGOs, including GAMCOTRAP, BAFROW, APGWA, WISDOM, KEWYA, and FAWEGAM have organised a series of sensitization and training workshops at the community level in various regions of The Gambia. Target groups include men, women, security forces, and parent-teacher organisations. For 2007, BAFROW reports the following:

- 35 former circumcisers and their assistants attended a week-long workshop on conducting alternative rite of passage ceremony. Many have also been trained to serve as health promoters.
- 15 ex-circumcisers received small interest-free loans and took business management courses in collaboration with the Indigenous Business Advisory service to help them develop new ways to earn income.
- 150-plus community health nurses, state-employed nurses, and extension workers were educated on the health consequences of FGM and data gathering techniques. They then carried out public awareness activities and surveys in their circuit areas.
- The curriculum for alternative rites of passage (in three local languages), and audio and video tapes of dramas and plays were created and distributed to communities and schools. By the end of 2007, 1538 young girls were registered to go through the alternative rites.
- Women in 15 communities in the Western and Lower River Regions benefited from functional literacy programmes that taught them to read, write, manage finances, and serve as local community health workers monitoring the rate at which FGM is being abolished, new strategies to be used and offering advice and counseling as needed. Participants create a quarterly newsletter on FGM, which serves as sensitization material in local communities.
- BAFROW's health education team in collaboration with mother support groups made monthly home visits to over 30 families in the Greater Banjul Area and more than 200 in rural areas. These families have made plans to combat FGM.
- The Youth Advocacy Group has conducted 112 programmes about FGM in upper basic and senior secondary schools.
- Health promoters (ex-circumcisers) sensitized 1800 people in the Basse area, with about 4000 expected to be indirectly reached.

102. Other groups, including CPA, have worked with religious and community leaders to sensitize them on the issue. A number of institutions, including ACDHRS, are lobbying for the passage of a Women's Bill, which it is hoped will include provisions on FGM. In 2006 Tostan Programme (an international NGO based in Senegal) began working in The Gambia and a programme for the abandonment of FGM was initiated in 40 communities in Upper River Region. This programme was slated to expand to 50 communities in 2007. GAMCOTRAP has also been invited by the Law Reform Commission to submit recommendations on issues affecting girls, including FGM.

Table 10

Female Genital Mutilation (FGM)

Percentage of women aged 15-49 who have had any form of female genital mutilation (FGM), type of FGM among those who have had FGM, the percentage who have had the extreme form of FGM (infibulation), and the percentage distribution among women who have heard of FGM according to attitudes towards whether the practice of FGM should be continued, The Gambia, 2006

			Per cent distribution of women who believe the practice of FGM/C should				*Like daughter to be circumcised*				
	*Had any form of FGM**	*No. of women aged 15-49*	*Continue ****	*Be decision based*	*Depends on situation*	*Don't know/ Missing*	*Yes*	*No/Don't know*		*Total*	*Number of women aged 15-49 who have heard of FGM*
EGA											
Banjul	4.8	324	31.3	65.6	1.2	1.9	30.7	69.3	.0	**100.0**	324
Kanifing	70.4	2872	55.5	38.2	4.7	1.6	57.9	41.5	.6	**100.0**	2872
Brikama	87.0	2549	83.7	15.3	.5	.4	84.0	15.6	.4	**100.0**	2549
Mansakonko	95.9	531	93.5	4.6	1.4	.5	94.0	5.8	.2	**100.0**	531
Kerewan	60.8	1012	58.7	27.9	13.0	.4	59.1	40.7	.3	**100.0**	1012
Kuntaur	68.7	547	63.4	17.7	17.9	1.0	67.6	32.2	.2	**100.0**	547
Janjangbureh	77.2	891	74.6	18.8	5.3	1.3	75.8	24.2	.0	**100.0**	891
Basse	99.0	1258	92.2	2.3	3.7	1.8	97.4	2.5	.1	**100.0**	1258
Residence											
Urban	72.2	4251	59.7	34.4	4.6	1.3	61.5	38.0	.5	**100.0**	4251
Rural	82.8	5731	79.5	14.5	5.0	.9	81.3	18.5	.2	**100.0**	5731
Age											
15-19	79.9	2282	72.3	22.1	3.9	1.7	74.4	25.2	.4	**100.0**	2282
20-24	78.2	2023	69.8	24.2	4.8	1.3	72.1	27.7	.2	**100.0**	2023
25-29	77.2	1915	69.9	23.7	5.7	.7	71.6	28.0	.4	**100.0**	1915
30-34	78.4	1352	71.6	23.1	4.7	.7	72.8	26.9	.3	**100.0**	1352
35-39	79.5	1047	72.2	22.0	5.2	.6	73.5	26.0	.5	**100.0**	1047
40-44	77.7	822	72.6	21.9	4.6	1.0	73.7	25.9	.5	**100.0**	822
45-49	74.2	540	69.5	23.6	5.9	.9	71.2	28.5	.2	**100.0**	540
Education											
None	81.1	6083	76.9	16.4	5.6	1.1	78.8	20.8	.4	**100.0**	6083
Primary	80.2	1173	71.9	22.5	4.1	1.6	74.3	25.5	.3	**100.0**	1173
Secondary +	71.2	2726	57.7	37.9	3.5	.8	59.0	40.8	.3	**100.0**	2726
FGM/C experience											
No FGM/C	.0	2166	3.4	80.2	15.1	1.3	2.7	96.9	.4	**100.0**	2166
Had FGM/C	100.0	7816	89.1	7.8	2.1	1.0	91.6	8.1	.3	**100.0**	7816
Wealth index quintiles											
Poorest	75.4	1707	73.2	17.1	8.6	1.1	75.1	24.6	.3	**100.0**	1707
Second	86.1	1896	82.6	12.9	3.6	.9	83.7	16.0	.3	**100.0**	1896
Middle	85.9	2012	80.9	14.1	4.2	.8	82.8	16.8	.4	**100.0**	2012
Fourth	81.6	2139	73.1	21.9	4.1	.9	75.7	24.1	.3	**100.0**	2139
Richest	63.9	2228	48.7	45.4	4.3	1.6	50.2	49.4	.4	**100.0**	2228

	Had any form of FGM*	No. of women aged 15-49	Per cent distribution of women who believe the practice of FGM/C should: Continue ***	Be discontinued	Depends on situation	Don't know/ Missing	Like daughter to be circumcised: Yes	No/Don't know	Total	Number of women aged 15-49 who have heard of FGM
Ethnic group of head of household										
Mandinka	96.5	3514	89.2	8.4	1.6	.8	90.9	8.7	.4 **100.0**	3514
Wollof	12.1	1295	10.4	70.7	17.6	1.4	9.7	90.1	.2 **100.0**	1295
Fula	87.8	1985	79.5	14.9	4.3	1.3	82.4	17.2	.3 **100.0**	1985
Jola	90.8	1086	80.7	15.5	2.8	1.0	82.9	16.7	.4 **100.0**	1086
Serer	45.5	386	32.6	59.5	6.5	1.4	33.6	65.9	.5 **100.0**	386
Other ethnic group	79.5	1716	71.2	23.9	3.7	1.1	73.7	26.0	.3 **100.0**	1716
Total	**78.3**	**9982**	**71.1**	**23.0**	**4.8**	**1.1**	**72.9**	**26.8**	**.3** **100.0**	**9982**

* MICS indicator 63

*** MICS indicator 66

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

I. Other related issues

103. In 2007 the Gambia Police Force Child Welfare Unit dealt with seven cases of forced marriage, with some girls as young as 13 or 14. All of the marriages were successfully dissolved, although in two cases the girls returned to the marriages after turning 18. These are only the reported cases: no reliable data exists on the extent of the practice of early or forced marriage.

104. Likewise, cases of domestic violence are seldom reported to authorities because of social relations or beliefs that these are "family matters." Therefore, it is difficult to obtain accurate data on related issues and problems.

V. Family environment and alternative care (arts. 5, 9–11, 18 (1 and 2), 19–21, 25, 27 (4) and 39)

A. Parental guidance (art. 5)

105. Disaggregated data on services and programmes aimed at assisting parents and legal guardians in child-rearing does not exist. For information on childcare, see paragraphs 184-186.

B. Parental responsibilities (art. 18 (1 and 2))

106. Part XIII of The Children's Act, 2005 obliges parents to take care of their children and in default of such duties, penalties are imposed. This law makes it mandatory for parents or guardians to provide their children or wards with the necessities of health, life, basic education and shelter. The Criminal Code also outlines penalties for dereliction of parental obligation.

107. Implicit in The Children's Act, 2005, and all marriage court legislation, is the right by a Children's Court to make custody orders appropriate to the interest of the child.

Moreover, the Director of Social Welfare is empowered by law to assume guardianship of a child who has been abandoned or is neglected.

108. If a case of baby abandonment is reported to the police, the police immediately report the matter to the Department of Social Welfare for the care and protection of the baby. The child is then escorted to the nearest health centre for a medical check up, with a referral made to the major hospital if needed. Meanwhile, a case file is opened for investigation. If the mother found, she will be charged for the offence. Depending on circumstances, she may be reunited with the child, but will be put under observation and ordered to report to the police child welfare office as well as to the Department of Social Welfare for counseling. If the mother cannot be found, the Department of Social Welfare makes arrangements for the care and protection of the child.

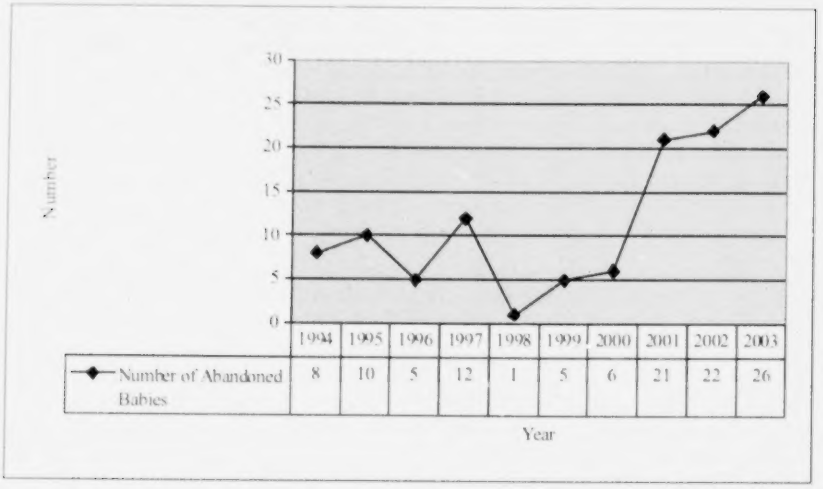
109. An increase in the number of baby abandonment cases, as seen in the table and figure follow, led to a national report on the issue in 2004. Because cases of baby abandonment undoubtedly go unreported, the given figures should be considered an underestimation of the true incidence of the problem. The study revealed that the primary causes for baby abandonment were poverty—a compelling factor for early sexual experience and subsequent unwanted pregnancies, denial of paternity, social stigma, family pressure or indifference, desire to continue education or preserve a marriage, and a culture of silence. At the time of the study, only one perpetrator had been prosecuted and convicted of baby abandonment, with another case in progress. The study ascribed the low rate of prosecution and conviction to the clandestine nature of baby abandonment and the same culture of silence, in the form of a refusal by community members to provide information to the police or other agencies on the identity and location of the perpetrators.

Table 11
Reported Abandoned Babies (1994-2003)
Number of Reported Abandoned Babies by Year (1994-2003) and Sex

	Sex		
Year of Abandonment	*Male*	*Female*	*Total*
1994	5	3	8
1995	5	4	9
1996	5	0	5
1997	5	7	12
1998	5	9	14
1999	3	2	5
2000	0	6	6
2001	8	13	21
2002	6	16	22
2003	6	20	26
Total	**48**	**80**	**128**

Source: Research Report on Baby Abandonment in The Gambia, 2004.

Figure 1
Babies reported abandoned (1994–2003)



Source: Research report on Baby abandonment in The Gambia, 2004.

110. To assist with the temporary placement of abandoned babies and children, a Child Placement Committee was created, consisting of the Department of Social Welfare, SOS Children's Village, the Child Welfare Unit of the Gambia Police Force, the Royal Victoria Teaching Hospital, and the office of the Solicitor General. In addition, formal procedures were put into place. First the potential foster parent submits an application to the Department of Social Welfare, which follows up with an interview to determine motivation, background, place of residence, occupational status, family size, and so on. The Department visits the proposed residence for a detailed assessment of living conditions, as well as reports from neighbors on typical behaviour and attitudes of the family. The Department prepares a report, after which the potential foster parent goes through a fingerprint test at the Gambia Police Force for subsequent issue of a Certificate of Character if merited and a medical examination to determine health status. The foster parent then signs a Memorandum of Agreement with the Department of Social Welfare promising to care for and protect the foster child, which completes the process.

111. Foster parents cannot claim to be legal parents of their wards unless they go through formal adoption procedures. Furthermore, foster children do not enjoy inheritance rights unless specifically and officially established by the foster parents.

C. Separation from parents (art. 9)

112. The Gambia set up a National Orphan and Vulnerable Children (OVC) Taskforce in 2002, comprising government departments, the National AIDS Secretariat, the National AIDS Control Programme, United Nations Agencies, NGOs and human rights organisations. The taskforce commissioned the "Situational Analysis of Orphans and Vulnerable Children in The Gambia", completed in August, 2004.

113. The MICS-III survey, as seen in the following table, indicates that 62% of children ages 0 to14 live with both parents. This proportion is highest for the poorest households and lowest for the richest households. Children with one or both parents who have died make up 9% of all children ages 0 to 14.

Table 12
Children's Living Arrangements

		Living with neither parent				Living with mother only		Living with father only						
	Living with both parents	Only father alive	Only mother alive	Both are alive	Both are dead	Father alive	Father dead	Mother alive	Mother dead	Impossible to determine	Total	Not living with a biological parent*	One or both parents dead**	Number of children
Sex														
Male	64.4	1.0	1.9	10.4	.7	12.4	3.5	4.2	1.2	.3	**100.0**	13.9	8.4	11386
Female	60.0	1.1	2.2	13.7	.8	13.7	4.0	3.3	.8	.4	**100.0**	17.8	9.0	11473
LGA														
Banjul	55.9	1.1	1.3	15.5	.6	15.8	4.4	4.4	1.0	.0	**100.0**	18.5	8.4	608
Kanifing	58.5	1.4	1.8	13.7	1.0	15.2	3.7	3.2	.7	.8	**100.0**	17.9	8.6	5133
Brikama	63.4	1.1	2.5	12.6	1.0	10.5	3.9	3.6	1.2	.3	**100.0**	17.2	9.6	5645
Mansakonko	52.4	1.0	4.1	20.9	1.2	11.8	5.3	1.9	1.2	.2	**100.0**	27.2	12.8	1701
Kerewan	68.0	.7	1.2	8.8	.2	14.1	1.9	4.5	.4	.1	**100.0**	10.9	4.5	2818
Kuntaur	70.9	.5	1.7	9.1	.3	8.0	3.7	4.6	1.1	.0	**100.0**	11.6	7.3	1676
Janjangbureh	60.5	1.3	1.8	12.6	.3	14.4	2.5	5.2	1.2	.1	**100.0**	16.1	7.2	2132
Basse	63.8	.8	2.1	6.9	.6	15.1	5.4	3.7	1.4	.2	**100.0**	10.3	10.3	3146
Residence														
Urban	58.3	1.3	1.9	13.9	1.0	15.4	3.6	3.2	.7	.6	**100.0**	18.1	8.6	7993
Rural	64.2	.9	2.2	11.0	.6	11.8	3.9	4.1	1.1	.2	**100.0**	14.7	8.7	14865
Age														
0-4 years	72.8	.3	.1	4.4	.1	18.8	1.5	1.4	.2	.4	**100.0**	4.9	2.2	6479
5-9 years	64.1	.8	1.6	12.6	.4	12.2	2.9	4.3	.9	.2	**100.0**	15.4	6.7	7134
10-14 years	56.8	1.6	3.4	15.0	.9	10.2	5.4	5.0	1.4	.2	**100.0**	20.9	12.7	6275
15-17 years	45.7	2.1	4.8	21.1	2.4	8.6	7.3	4.9	2.1	.8	**100.0**	30.5	18.9	2971
Wealth index quintiles														
Poorest	69.0	.8	1.8	9.5	.3	9.0	3.3	5.0	1.2	.1	**100.0**	12.3	7.5	4975
Second	64.0	1.0	2.1	10.5	.7	12.3	4.2	3.9	1.1	.2	**100.0**	14.3	9.1	4850
Middle	63.6	.9	2.2	11.1	.9	12.9	3.6	3.3	1.3	.2	**100.0**	15.1	9.0	4638
Fourth	59.8	1.1	2.2	11.8	.9	15.8	4.8	2.6	.6	.5	**100.0**	16.0	9.5	4437
Richest	52.4	1.6	2.2	18.5	.9	16.1	2.8	3.9	.7	.8	**100.0**	23.1	8.3	3959
Ethnic group of head of household														
Mandinka	62.7	1.1	2.2	11.8	.9	12.4	4.5	3.1	.9	.4	**100.0**	16.0	9.6	8202
Wollof	66.1	1.2	1.5	11.9	.5	11.7	2.7	3.5	.6	.3	**100.0**	15.1	6.5	2897
Fula	67.5	1.0	1.7	9.5	.6	11.4	2.8	4.2	1.2	.2	**100.0**	12.7	7.2	4710
Jola	59.6	1.1	2.6	15.2	1.0	10.1	3.3	5.2	1.5	.4	**100.0**	19.9	9.6	2336
Serer	59.5	1.6	1.2	11.8	.4	18.9	3.4	1.7	.9	.6	**100.0**	15.0	7.6	741
Other ethnic group	54.1	.9	2.6	13.8	.6	18.1	4.5	4.2	1.0	.4	**100.0**	17.7	9.5	3973
Total	**62.2**	**1.0**	**2.1**	**12.0**	**.7**	**13.0**	**3.8**	**3.8**	**1.0**	**.3**	**100.0**	**15.9**	**8.7**	**22859**

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

114. The 2007 CPA Children's Bantaba, while limited to one region, indicated that almost 71% of the children lived with their mothers and 61.5% with their fathers. More than a quarter also reported living with their grandmothers. Obviously more than one answer was possible; still, the results look similar to the 2005-6 MICS survey.

115. According to the OVC analysis, at the time of the report (2004) the Department of Social Welfare arranged foster care for 14 children, the vast majority of whom were abandoned babies with no known family connection. Most commonly a child's extended family provides care in the absence of parents.

116. Residential institutions are limited to two SOS Children's Villages, one in Bakoteh (in the Greater Banjul Area) and the other in Basse. In Bakoteh about 82 children live in 10 "family homes" on the compound; 29 teens live in youth homes. Hundreds of students study at the SOS schools, which cover the entire spectrum from kindergarten to senior secondary and technical high schools. There is also a vocational training centre.

117. While not a residential facility, the Standard Chartered Bank Child's Centre in Talinding opened in 2003, sponsored by Standard Chartered Bank, KMC, and the Department of Social Welfare. This centre serves up to 50 children between 6 to 17 years old, with an equal number of boys and girls. After identifying children at risk in the streets or mosques, social workers interview the children and conduct a home visit and needs assessments. Many of the children have lost one or both parents. If the parents or guardians do not seem able to provide basic necessities for the child, the child is enrolled in the centre, which offers three meals per day, recreational facilities and other services. If the child does not already attend school, a place is found; school fees and expenses are met by SCB and the Government of The Gambia.

118. Other services for orphans come from a wide range of providers. At the time of the report, 40 orphans of the Santa Yallah Support Society received school sponsorships through the Department of Social Welfare. The Africa Muslim Agency has sponsorship packages for orphans, consisting of medical treatment, education and maintenance. Hands on Care, based in Brikama, provides school fees for 60 AIDS orphans and purchases school-related items (uniforms, books, etc) for children who need them. Munazamat Al-Dawa Al-Islamia, an Islamic organisation, sponsors orphans by providing for their maintenance, education and medical bills. The organisation also offers skills training and supports income-generating activities for caregivers of orphans. Various NGOs have child sponsorship schemes geared toward international donors; these reach thousands of children, some of whom are orphans.

119. The reasons children remain without parents have not been studied. However, the MICS-III study does identify nearly 23,000 children at risk of becoming orphans because of AIDS (see following table).

Table 13

Orphanhood and Vulnerability (AIDS)
Prevalence of orphanhood and vulnerability among children
Percentage of children aged 0-17 who are orphaned or vulnerable due to AIDS, The Gambia, 2006

	Chronically ill parent	*Chronically ill adult in household*	*Vulnerable children**	*One or both parents dead***	*Orphans and vulnerable children*	*Number of children aged 0-17 years*
Sex						
Male	.5	3.8	4.3	8.4	12.2	11386
Female	.7	3.9	4.5	9.0	12.9	11473

	Chronically ill parent	*Chronically ill adult in household*	*Vulnerable children**	*One or both parents dead***	*Orphans and vulnerable children*	*Number of children aged 0-17 years*
LGA						
Banjul	1.1	5.3	6.5	8.4	14.7	608
Kanifing	.9	6.5	7.4	8.6	15.2	5133
Brikama	.7	2.4	3.0	9.6	12.0	5645
Mansakonko	.3	1.9	2.2	12.8	14.9	1701
Kerewan	.2	1.9	2.0	4.5	6.4	2818
Kuntaur	1.1	7.4	8.4	7.3	15.3	1676
Janjangbureh	.6	4.3	4.8	7.2	11.4	2132
Basse	.2	2.4	2.6	10.3	12.4	3146
Residence						
Urban	.8	5.4	6.2	8.6	14.1	7993
Rural	.5	3.0	3.5	8.7	11.7	14865
Age						
0-4 years	.3	3.6	3.9	2.2	6.0	6479
5-9 years	.6	4.0	4.6	6.7	10.9	7134
10-14 years	.7	3.8	4.5	12.7	16.5	6275
15-17 years	1.2	4.0	5.0	18.9	22.7	2971
Wealth index quintiles						
Poorest	.6	4.4	4.9	7.5	11.9	4975
Second	.5	3.0	3.3	9.1	11.9	4850
Middle	.4	2.7	3.1	9.0	11.7	4638
Fourth	.5	4.0	4.4	9.5	13.4	4437
Richest	1.2	5.6	6.8	8.3	14.4	3959
Ethnicity						
Mandinka	.6	2.9	12.6	9.6	12.6	8202
Wollof	.8	5.5	12.4	6.5	12.4	2897
Fula	.6	3.3	10.8	7.2	10.8	4710
Jola	.8	4.6	14.0	9.6	14.0	2336
Serer	.5	4.4	12.2	7.6	12.2	741
Other ethnic group	.5	4.6	14.0	9.5	14.0	3973
Total	**.6**	**3.9**	**12.6**	**8.7**	**12.6**	**22859**

* MICS indicator 76.

** MICS indicator 75.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

D. Family reunification (art. 10)

120. Disaggregated data on the number of children entering and leaving the country for family reunification is not available. Information on refugee children in the Gambia appears in paragraphs 206-214.

E. Recovery of maintenance for the child (art. 27 (4))

121. CRC article 27, paragraph 4 is reflected in Part XIII of The Children's Act 2005, which obliges parents to provide their children with the necessities of health, life, basic education and shelter. The Act specifies that adequate and effective recovery of maintenance for children should be provided. The Department of Social Welfare and a Children's Court assist parents in the enforcement of this Act. To that end, the Department of Social Welfare has created a sub-unit specifically for the recovery of maintenance for children. The members of the maintenance sub-unit work with the Children's Court and the Child Welfare Unit of the Police to ensure that the rights of the child for maintenance, care and protection are met.

122. However, effective measures have not been taken to review the policies, guidelines and procedures for the administration and implementation of The Children's Act to ensure the adequate and effective recovery of maintenance for children.

F. Children deprived of a family environment (art. 20)

123. Many of the same issues apply now in the area of children deprived of a family environment (CRC article 20) as in the last report. There are inadequate facilities and services to assist with foster care and adoption. Children in alternative care lack an independent complaint mechanism, and there is inadequate review of their placement in institutions, as well as a lack of available trained personnel in this field. Furthermore, insufficient financial and human resources have been allocated for alternative care and the Department of Social Welfare in general.

124. In spite of the challenges, positive developments exist. The government donated land so that SOS International could build a second SOS Children's Village in the eastern part of the country (Basse) to care for children deprived of a family environment. Many organisations provide nutritional support, recreational activities and counseling for such children. Bakoteh Health and Social Centre also provides outreach activities including medical care and child protection services such as counseling.

125. To increase the number of trained social workers available to serve this population, the Department of Social Welfare in collaboration with its partners initiated a certificate and diploma programme in Social Work at the SOS Regional Mothers' Training Centre and the University of The Gambia. Once these new social workers are trained, the challenge will be to retain them.

G. Adoption (art. 21)

126. The Gambia has not yet acceded to the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

127. Part IX of The Children's Act, 2005 provides the necessary framework for the regulation of adoptions, both domestic and international. This section of the Act states that an application for an adoption order must be made to a Children's Court and is subject to the provisions of the Adoption Act. In the case of children with an existing court-issued adoption order, the court acting with the supervision of a Social Welfare Officer will ensure that the transfer is in the best interests of the child and that due consideration has been given to the wishes of the child. The Department of Social Welfare has created a sub-unit for adoption and foster care that has helped expedite adoption procedures. This sub-unit also ensures that proper documentation and registration of adopted children are maintained.

128. Formal adoption cases go to the Children's Court for hearing. However, informal adoptions within the extended family system are widespread, unmonitored, and possibly in conflict with the best interests of the child. In order to prevent abusive practices in informal adoption, administrative and monitoring procedures and capacity must be strengthened. In response to some of the problems, the Department of Social Welfare has introduced a foster care scheme which allows abandoned children to be placed back into their communities in foster homes with additional supervision by a social worker prior to adoption.

H. Illicit transfer and non-return (art. 11)

129. Disaggregated data on children abducted to and from The Gambia is not available. For a list of treaties and agreements related to article 11, see paragraph 246.

130. Under The Criminal Code (Section 159) it is an offence to forcibly or fraudulently take away a child from the possession of any parent or guardian. It is also an offence to receive or harbour such a child while knowing that they have been forcibly or fraudulently taken away. Those involved in such an offense face up to seven years imprisonment.

131. The Matrimonial Causes Act (Section 27) empowers the court to issue an order prohibiting the removal of any child from The Gambia or ordering the return of any child to The Gambia.

I. Abuse and neglect (art. 19), including physical and psychological recovery and social integration (art. 39)

132. Disaggregated data on children reported as victims of abuse and/or neglect is not available. However, in response to the high incidence of abuse and exploitation of children taking place in the country, the Department of Social Welfare with support from UNICEF has conducted studies on Child Sexual Abuse and Exploitation, Baby Abandonment, Situation Analysis on Orphans and other Vulnerable Children, and a Rapid Assessment on Children Living and/or working on the Street. There are also a National Plan of Action to Combat Child Sexual Abuse and Exploitation and for Orphans and other Vulnerable Children, which are being implemented. A Children's Social Welfare Policy, Sexual Harassment Policy in School and Guidelines on Child Sexual Harassment in Schools have also been drafted. Both the Children's Act 2005 and the Tourism Offences Act 2003 protect children from all forms of abuse and exploitation.

133. Standard "after arrest procedures" have also been implemented for the protection of children. To ensure that cases of violence, ill treatment and abuse of children are properly handled there is a Child Protection Training Manual for Police Officers, which is currently being used at the Police Training School.

134. If a missing child is brought to the police, publication is made on television and radio to inform the general public of the child's description. If a parent or caregiver is found, that person is strictly warned and advised on how to protect and care for the child. Forms must be filled out before the child is returned to the parent. If a parent is not found, the child is referred to the Department of Social Welfare for care and protection.

135. In cases of neglect, the parent or care giver is cautioned and strictly warned to take good care of the child and provide for the child's basic needs. If the child is not living with his or her biological parents, the child is withdrawn and handed to the Department of Social Welfare for proper unification with parents.

136. If child abuse is reported to the police, the child is immediately withdrawn from the abuser and taken for medical care if necessary. The accused is arrested, cautioned and charged. The Department of Social Welfare provides temporary care for the child.

Depending on the nature of the case, the abuser maybe taken before the court or be counseled and reunited with the child under the supervision of the Department of Social Welfare, which will make home visits to verify the child's living conditions after reunification.

137. Department of Social Welfare is at an advanced stage in the process of developing a national child protection database, with the assistance of UNICEF. Information from the database will be used for advocacy and for monitoring and reporting on the situation of children.

138. The Department of Social Welfare has a Shelter for Children where child victims of abuse receive care and rehabilitation services before they are finally reintegrated into the society. There is also a child help line, which give children twenty-four hour access to reporting of cases.

139. The Department in collaboration with Child Protection Alliance has set up one Community Child Protection Committee in Ebo Town, Kanifing Municipal Council, and six others in the Upper River Region. The committee members are trained to prevent child abuse and protect the rights of child victims of abuse.

140. In addition, a Community Child Protection committee was piloted in Basse in 2006. Committee members were trained to advocate for children, to provide first-aid services for victims of abuse, violence and exploitation, to conduct preliminary probes into child protection cases at the community level, to name and shame perpetrators of abuse, violence and exploitation against children in order to break the culture of silence surrounding such things at community level, and to act as link between the community and the regional and central level as regards child protection issues.

J. Periodic review of placement (art. 25)

141. There is presently inadequate review of the living situations of children deprived of a family environment. Little oversight of informal situations or placements occurs.

VI. Basic health and welfare (arts. 6, 18 (3), 23, 24, 26 and 27 (1–3))

A. Survival and development (art. 6 (2))

142. The Children's Act 2005 states in Part II, section 6, that:

"Every child has the right to survival and development."

143. Strategies to accelerate reduction in infant and child morbidity and mortality have been in place since 2001 guided by the National Reproductive Health (RH) Policy and Strategic Plan of Action, the Gambia Road Map on Maternal and Newborn Morbidity and Mortality, and the Emergency Maternal and Child Health (EMCH) Programme. The Department of State for Health and Social Welfare through its National Reproductive and Child Health (RCH) Programme and Services collaborates with stakeholders at all levels. The Integrated Management of Newborn and Childhood Illnesses strategy to manage sick children using a holistic approach is also employed. The RCH Module in the pre-service curricula of health training institutions as well as in-service training manuals respectively have been revised to strengthen newborn and child health care.

144. Infant mortality has witnessed a significant decline since 1973 from a high of 167 per 1000 live births to 75 per 1000 live births in 2003 (National Census Report 2003). This figure does not match the 2006 MICS III figure of 93 per 1000. Either figure demonstrates

a significant decline, however, the rate remains unacceptably high, particularly in certain sectors: in the geographical region of Kuntaur and Basse (124 and 122 per 1000 respectively); in rural areas (102 per 1000); and among the poorest families (106 per 1000). By contrast, when the mother had secondary education or higher, the rate was only 54 per 1000, lower even than the rate for the richest quintile in terms of wealth, at 58 per 1000 LB.

Table 14
Child Mortality (2006)
Infant and under-5 mortality rates. The Gambia, 2006

	*Infant mortality rate**	*Under-5 mortality rate***
Sex		
Male	99	140
Female	86	122
LGA		
Banjul & Kanifing	88	122
Brikama	76	100
Mansakonko	104	154
Kerewan	90	126
Kuntaur	124	195
Janjangbureh	109	165
Basse	121	188
Residence		
Urban	74	96
Rural	102	150
Mother's education		
None	97	140
Primary	94	133
Secondary +	54	66
Wealth index quintiles		
Poorest	106	158
Second	97	139
Middle	101	148
Fourth	88	121
Richest	58	72
Ethnic group of head of household		
Mandinka	97	140
Wollof	82	111
Fula	100	146
Jola	77	102
Serer	56	69
Other ethnic group	95	136
Total	**93**	**131**

* MICS indicator 2, MDG indicator 14.
** MICS indicator 1; MDG indicator 13.
(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

For more on efforts to reduce mortality rates, see paragraphs 59-63 and 135 and following.

B. Children with disabilities (art. 23)

145. The most recent National Disability Study took place in 1998, and the findings appeared in the previous CRC report and subsequent consultations.

146. Section 31 (1), (2) and (3) of the Constitution guarantees recognition and respect for the rights and dignity of people with physical disabilities, as well as their protection from exploitation and discrimination. A variety of initiatives support children with disabilities. There is an established multi-sectoral working group on childhood development including children with disabilities. A community-based rehabilitation programme works with blind children. In addition, frequent training is offered. For instance, the Integrated Education Project recently held a three-day workshop for teachers from regions one and two on how to teach pupils with low and poor vision and blindness. This training fulfilled the objectives of the Education for All (EFA) campaign, promoting education for all children.

147. Some parents of children with disabilities are given micro-credit loans to boost their income. Through HIPC, funds were disbursed to three organisations supporting people with disabilities: Gambia Organisation of Visually Impaired (GOVI), Gambia Association of Difficulty in Hearing (GADH) and Gambia Association of Physical Disabled (GAPD). Sight Savers International provides financial support so that GOVI can offer additional micro-credit loans for people with disabilities. Children with disabilities are also provided with technical and mobility aid to facilitate their movement and the learning process.

148. A Training Manual on Early Childhood Development has been developed with a module on children with disabilities, which is currently being used at The Gambia College for the training of teachers. Furthermore, the Department of Social Welfare held a series of workshops to sensitize village heads, teachers, health workers and so on about child disability issues. In addition, print and electronic media are widely used to promote the rights of children with disabilities.

C. Health and health services (art. 24)

149. The 1997 Constitution of the Republic of The Gambia clearly and unequivocally guarantees the rights of every child to basic health services. The Department of State for Health and Social Welfare is charged with the responsibility of health service management which includes among other things service provision, regulation, resource mobilization, and health policy planning and implementation. A recently drafted health master plan 2007-2020 outlines government's long-term efforts to provide universally accepted health service to Gambians.

150. In a symbolic gesture, the Gambia government recently declared maternal and child health care to be free of charge for all Gambians. Even before this milestone achievement, government's fee for maternal and child health care was a one-off registration fee equivalent to 25 cents (US$) per child from birth to five years and thereafter 50 cents (US$). Many people, including those suffering from chronic diseases, have been exempt from service fees for decades. However, free health care is not available to every poor person.

151. Child health care services include the following: immunisation (see paragraph 139 and following), vitamin A supplementation, de-worming, routine monitoring of growth and development, nutrition education including the promotion of exclusive breastfeeding, and the prevention and of management of HIV/AIDS and other communicable diseases. The following table shows the percentage of low birth weight infants, the starting point for

monitoring of growth and development. Since the percentage of babies weighed at birth is low in some areas, these numbers are very approximate.

Table 15

Low Birth Weight Infants

Percentage of live births in the two years preceding the survey that weighed below 2500 grams at birth. The Gambia, 2006

	Percentage of live births		
	*Below 2500 grams**	*Weighed at birth***	*Number of live births*
LGA			
Banjul	16.9	93.4	75
Kanifing	20.2	78.2	694
Brikama	19.4	59.5	750
Mansakonko	16.7	38.2	167
Kerewan	20.3	49.3	377
Kuntaur	23.9	24.5	232
Janjangbureh	17.8	30.9	313
Basse	20.9	27.5	463
Residence			
Urban	19.7	74.1	1037
Rural	20.0	40.4	2033
Mother's education			
None	20.2	44.5	2229
Primary	18.9	59.5	352
Secondary +	19.2	79.3	480
Wealth index quintiles			
Poorest	20.1	27.7	684
Second	20.4	44.8	647
Middle	20.4	50.7	650
Fourth	18.9	63.5	600
Richest	19.4	81.8	488
Ethnic group of head of household			
Mandinka	19.8	52.3	1048
Wollof	21.7	49.0	384
Fula	20.0	45.4	706
Jola	18.4	67.2	302
Serer	20.2	75.6	117
Other ethnic group	19.4	47.1	512
Total	**19.9**	**51.8**	**3070**

* MICS indicator 9.

** MICS indicator 10.

(GBoS, 2007. The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

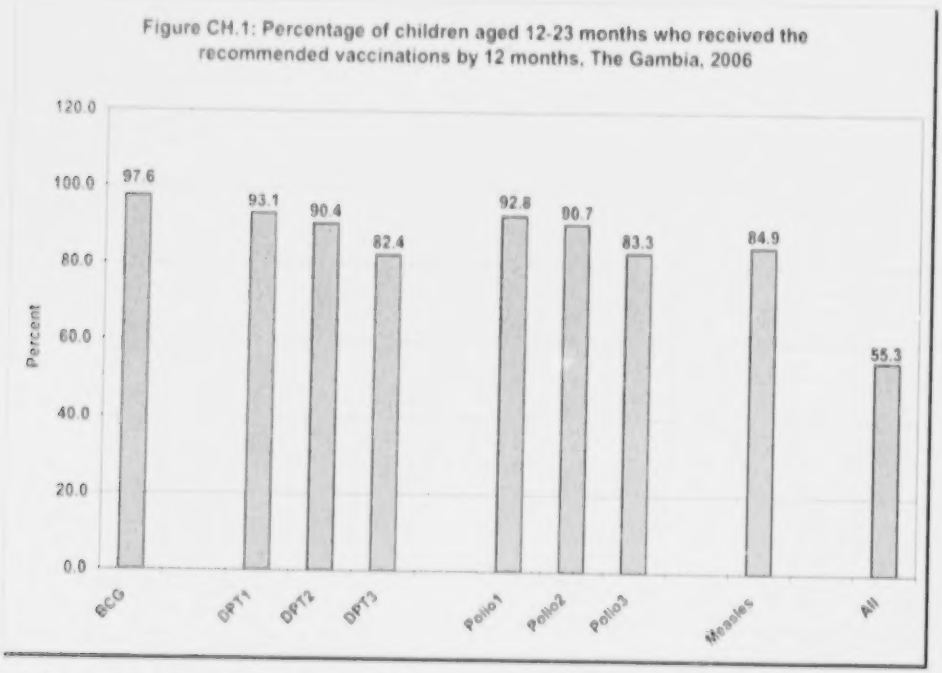
152. National Reproductive and Child Health Services are highly decentralized based on the Primary Health Care (PHC) approach recording a geographic coverage of up to 99% of

the country. Such services are delivered in an integrated manner to provide a "one-stop" approach to care.

153. The Department of State for Health's Expanded Programme on Immunisation (EPI) has been described by the WHO as one of the best in the African region. Immunisation is delivered countrywide with a success rate of 85% fully immunised children below five years of age. The Gambia attained Polio-free status in 2004, and no cases of yellow fever have been reported for many years. Neo-natal tetanus cases have dropped to less than one per 1000 live births, following mass campaigns and routine administration of TT to pregnant women. Measles has nearly been eradicated, with no cases confirmed since 2004. The most recent measles immunisation campaign occurred in late 2007 and targeted about 246,150 children. The campaign included provision of vitamin A and deworming tablets in addition to vaccinations. See the following figures and tables for more details on the success of The Gambia's immunisation efforts.

Figure 2

Percentage of Children Vaccinated by 12 Months



(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

Table 16

Vaccinations by Background Characteristics

Percentage of children aged 12-23 months currently vaccinated against childhood diseases, The Gambia, 2006

	Percentage of children who received											*Percentage with health card*	*Number of children aged 12-23 months*
	BCG	*DPT1*	*DPT2*	*DPT3*	*Polio0*	*Polio1*	*Polio2*	*Polio3*	*Measles*	*All*	*None*		
Sex													
Male	98.6	95.6	92.3	84.7	92.5	95.1	92.0	85.6	91.2	72.7	.6	89.7	757
Female	98.9	96.6	94.0	89.0	93.1	95.9	94.5	89.8	93.7	76.3	1	91.3	729
LGA													
Banjul	72.9	100.0	97.6	95.2	95.3	100.0	92.9	88.1	90.7	78.6	0	86.0	53
Kanifing	98.0	95.0	91.2	85.9	92.0	93.3	92.2	84.7	89.0	69.7	1.3	90.0	318
Brikama	98.0	96.3	94.0	88.9	88.7	94.4	90.0	83.6	91.8	72.5	.2	88.3	347
Mansakonko	100.0	98.7	96.4	91.4	94.0	96.4	96.3	90.3	98.8	86.7	0	91.5	85
Kerewan	99.0	90.4	85.7	78.1	90.3	95.4	92.3	84.7	93.3	67.7	0	90.3	191
Kuntaur	100.0	100.0	97.3	92.8	99.1	99.1	98.2	94.6	96.4	83.7	0	96.4	127
Janjangbureh	100.0	97.6	95.1	91.5	97.6	96.4	94.5	92.1	92.7	81.2	0	93.9	150
Basse	98.8	96.9	95.0	81.9	95.0	96.5	95.8	92.7	93.1	74.5	.4	89.6	214
Residence													
Urban	97.5	95.5	91.5	87.0	91.4	93.6	91.1	85.4	90.7	71.3	1.0	88.4	496
Rural	99.3	96.3	94.0	86.7	93.6	96.4	94.3	88.7	93.3	76.0	1	91.5	990
Mother's education													
None	98.4	96.0	93.2	86.8	94.1	96.0	94.2	88.1	92.2	74.9	5	91.0	1094
Primary	99.5	96.1	92.5	85.0	89.3	91.2	90.5	86.7	90.8	68.7	0	90.8	175
Secondary +	99.6	96.1	93.7	88.2	89.1	96.6	90.3	86.0	94.5	76.8	0	87.4	217
Wealth index quintiles													
Poorest	99.4	96.7	94.0	89.2	96.1	97.4	95.8	91.1	94.6	82.8	0	95.8	346
Second	99.5	95.0	92.3	85.3	88.8	95.3	94.6	88.5	91.4	72.5	3	88.6	295
Middle	97.9	96.6	92.9	84.1	92.5	94.3	91.3	86.8	91.0	71.8	9	90.6	340
Fourth	98.3	94.6	92.8	85.8	94.0	94.6	90.8	82.5	93.4	70.2	.8	87.9	277
Richest	98.7	97.3	93.9	90.5	92.0	96.0	93.3	88.7	91.4	73.5	0	87.8	227
Ethnic group of head of household													
Mandinka	98.7	96.6	94.1	88.3	95.2	95.3	94.3	89.7	94.3	77.0	0	92.5	498
Wollof	99.5	96.2	93.6	89.0	93.2	96.4	93.9	87.2	90.4	74.6	5	89.7	199
Fula	98.7	96.4	92.5	86.6	93.8	95.5	92.4	86.6	89.9	73.7	8	89.9	336
Jola	98.6	94.9	92.1	87.8	84.8	94.9	92.3	85.8	91.4	74.3	1.4	93.0	149
Serer	97.9	91.6	85.8	82.1	85.3	90.8	89.3	80.5	91.0	66.1	0	82.3	59
Other ethnic group	98.6	96.2	94.1	82.9	93.1	96.5	93.3	88.2	94.5	72.3	0	88.3	245
Total	**98.7**	**96.1**	**93.2**	**86.8**	**92.8**	**95.5**	**93.2**	**87.6**	**92.4**	**74.5**	**.4**	**90.5**	**1486**

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

Table 17

Additional Background Characteristics

Vaccinations by background characteristics (continued)

Percentage of children aged 12-23 months currently vaccinated against childhood diseases, The Gambia, 2006

	Percentage of children who received					
	HepB1	*HepB2*	*HepB3*	*Yellow Fever*	*Percentage with health card*	*Number of children aged 12-23 months*
Sex						
Male	84.7	83.4	77.4	81.8	89.7	757
Female	86.5	85.2	80.7	85.2	91.3	729
LGA						
Banjul	86.0	86.0	81.4	74.4	86.0	53
Kanifing	82.7	81.4	75.7	80.6	90.0	318
Brikama	86.3	85.4	81.4	81.8	88.3	347
Mansakonko	90.4	90.3	86.7	89.0	91.5	85
Kerewan	72.2	71.2	67.6	84.1	90.3	191
Kuntaur	93.7	90.0	83.7	91.9	96.4	127
Janjangbureh	93.9	93.3	91.5	86.6	93.9	150
Basse	88.0	85.7	74.9	82.6	89.6	214
Residence						
Urban	82.0	81.1	76.1	80.2	88.4	496
Rural	87.4	85.8	80.5	85.1	91.5	990
Mother's education						
None	86.1	84.6	79.6	83.8	91.0	1094
Primary	85.1	83.9	76.6	81.7	90.8	175
Secondary +	83.6	82.7	77.7	83.3	87.4	217
Wealth index quintiles						
Poorest	91.0	89.5	84.4	90.3	95.8	346
Second	84.1	82.4	76.7	81.0	88.6	295
Middle	83.9	83.3	76.6	83.4	90.6	340
Fourth	83.6	80.5	76.5	81.3	87.9	277
Richest	84.3	84.7	80.3	78.9	87.8	227
Ethnic group of head of household						
Mandinka	87.0	85.9	81.6	87.4	92.5	498
Wollof	84.9	83.6	79.7	80.0	89.7	199
Fula	85.7	84.4	77.4	81.3	89.9	336
Jola	88.7	88.7	81.6	85.1	93.0	149
Serer	68.8	67.1	63.5	74.0	82.3	59
Other ethnic group	85.3	82.7	77.7	82.6	88.3	245
Total	**85.6**	**84.3**	**79.0**	**83.5**	**90.5**	**1486**

(GBoS, 2007. The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

154. These interventions are backed by the provision of curative services on a free-of-charge basis to children at all public health facilities as well as nutrition education and, where appropriate, the issuing of food substitutes to children who are malnourished, orphaned, or infected by HIV or TB.

Table 18

Child Malnourishment

Percentage of children aged 0-59 months who are severely or moderately malnourished, The Gambia, 2006

	Weight for age		*Height for age*		*Weight for height*			
	*% below - 2 SD**	*% below - 3 SD**	*% below - 2 SD*	*% below - 3 SD*	*% below - 2 SD*	*% below - 3 SD*	*% above + 2 SD*	*Number of children aged 0-59 months*
Sex								
Male	20.5	4.1	22.4	8.5	6.8	1.1	1.9	3276
Female	20.1	3.7	22.4	8.1	6.1	.8	2.7	3110
LGA								
Banjul	17.5	5.0	17.5	6.9	4.4	0	.6	196
Kanifing	13.5	1.7	12.3	4.7	4.8	.4	1.8	1493
Brikama	16.8	2.8	19.9	6.5	8.1	1.2	2.9	1413
Mansakonko	27.0	6.1	29.0	9.9	7.4	1.3	1.2	404
Kerewan	23.7	5.2	32.3	15.0	7.0	1.6	5.0	823
Kuntaur	27.3	7.2	25.0	9.5	11.2	2.2	1.9	461
Janjangbureh	26.1	3.8	29.1	9.6	3.7	.3	1.3	682
Basse	23.5	5.0	25.9	8.7	5.6	.7	1.5	914
Residence								
Urban	14.7	2.2	14.6	5.8	5.0	.4	2.4	2267
Rural	23.4	4.8	26.7	9.6	7.2	1.3	2.3	4119
Age								
< 6 months	3.8	.9	7.0	2.6	3.7	.8	8.1	828
6-11 months	19.1	3.6	16.4	6.5	9.9	2.2	4.4	679
12-23 months	31.4	7.7	29.4	11.5	12.1	1.9	1.4	1455
24-35 months	24.0	4.3	25.7	9.7	4.2	.4	1.0	1323
36-47 months	17.2	2.2	25.0	8.4	3.4	.2	.6	1226
48-59 months	17.1	2.1	21.6	7.3	4.6	.4	.9	874
Mother's education								
None	21.9	4.3	24.5	9.2	6.6	1.1	2.4	4788
Primary	19.7	3.5	18.5	7.8	6.8	.8	1.6	697
Secondary +	12.4	1.6	14.6	3.8	5.4	.5	2.3	902
Wealth index quintiles								
Poorest	25.9	6.4	30.4	11.6	7.3	1.2	2.4	1492
Second	23.1	3.9	27.5	10.3	7.5	1.4	3.0	1296
Middle	21.1	3.2	21.3	7.5	7.4	1.1	2.1	1309
Fourth	15.6	2.9	18.0	5.8	4.3	.7	2.0	1220
Richest	13.5	2.2	11.5	5.0	5.2	.2	1.9	1070

	Weight for age		*Height for age*		*Weight for height*			
	*% below -2 SD**	*% below -3 SD**	*% below -2 SD*	*% below -3 SD*	*% below -2 SD*	*% below -3 SD*	*% above +2 SD*	*Number of children aged 0-59 months*
Ethnic group of head of household								
Mandinka	21.3	3.9	23.6	8.4	7.1	1.3	1.7	2209
Wollof	18.7	2.5	22.7	8.4	5.5	.3	2.5	863
Fula	21.2	4.4	23.2	8.7	6.3	1.0	2.8	1440
Jola	17.8	2.9	20.5	8.3	7.9	1.5	3.4	591
Serer	21.5	4.9	22.4	8.9	5.6	0	2.4	210
Other ethnic group	19.6	4.5	19.8	7.3	5.3	.6	2.1	1074
Total	**20.3**	**3.9**	**22.4**	**8.3**	**6.4**	**1.0**	**2.3**	**6386**

* MICS indicator 6, MDG indicator 4

** MICS indicator 7

*** MICS indicator 8

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

155. The Gambia ranks high in the continent for the provision and utilisation of maternal health services with prenatal care attendance pegged at 99 percent (MICS III, 2007). Institutional delivery hovers at 52 percent while postnatal care was a low of 32 percent (MMS/CPR Survey Report, 2001).

Table 19

Antenatal Care

Percentage of pregnant women receiving antenatal care among women aged 15-49 who gave birth in two years preceding the survey and percentage of pregnant women receiving specific care as part of the antenatal care received, The Gambia, 2006

	Percent of pregnant women receiving ANC one or more times during pregnancy	*Percent of pregnant women who had:*				*Number of women who gave birth in two years preceding survey*
		*Blood test taken**	*Blood pressure measured**	*Urine specimen taken**	*Weight measured**	
LGA						
Banjul	100.0	97.4	100.0	97.4	98.7	75
Kanifing	98.5	93.9	97.1	94.1	96.4	694
Brikama	99.5	97.0	98.3	92.9	98.4	750
Mansakonko	97.8	87.1	93.8	82.8	97.2	167
Kerewan	99.8	95.1	97.5	92.4	98.0	377
Kuntaur	99.5	70.5	91.2	57.6	97.2	232
Janjangbureh	99.7	91.1	95.2	89.9	97.3	313
Basse	99.5	75.4	96.6	73.2	97.3	463
Residence						
Urban	98.7	94.5	97.5	93.7	96.9	1037
Rural	99.5	87.2	96.2	83.2	97.8	2033

	Percent of pregnant women receiving ANC one or more times during pregnancy	Percent of pregnant women who had				Number of women who gave birth in two years preceding survey
		Blood test taken*	Blood pressure measured*	Urine specimen taken*	Weight measured*	
Age						
15-19	99.3	87.4	96.6	86.0	96.1	275
20-24	98.4	88.4	95.5	84.9	96.4	810
25-29	99.7	90.1	97.4	87.1	98.4	857
30-34	99.8	91.2	97.7	88.1	98.4	568
35-39	99.1	91.6	95.8	88.5	97.3	340
40-44	98.9	91.0	96.6	87.9	98.4	167
45-49	100.0	81.3	96.4	81.5	96.1	51
Education						
None	99.4	88.4	96.6	84.9	97.7	2229
Primary	98.8	89.4	96.2	89.3	97.4	352
Secondary +	98.8	95.6	96.9	93.0	96.5	489
Wealth index quintiles						
Poorest	99.7	84.2	94.6	79.4	97.4	684
Second	99.2	89.0	96.8	86.1	97.9	647
Middle	98.7	90.2	96.7	85.9	97.4	650
Fourth	99.1	90.4	96.7	89.7	96.5	600
Richest	99.6	96.7	99.0	95.2	98.5	488
Ethnicity						
Mandinka	99.3	91.5	97.4	88.5	97.8	1048
Wollof	99.7	89.6	95.5	85.0	97.4	384
Fula	98.9	86.9	94.9	83.0	96.7	706
Jola	99.6	96.0	97.8	94.1	97.8	302
Serer	98.2	95.6	98.2	94.7	97.3	117
Other ethnic group	99.3	84.7	97.3	83.2	97.8	512
Total	**99.3**	**89.7**	**96.6**	**86.7**	**97.5**	**3070**

* MICS indicator 44

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

Table 20

Type of Antenatal Care Provider

Percentage distribution of women aged 15-49 who gave birth in the two years preceding the survey by type of personnel providing antenatal care, The Gambia, 2006

	Person providing antenatal care								
	Medical doctor	Nurse/ midwife	Auxiliary midwife	Traditional birth attendant	Other	No antenatal care received	Total	Any skilled personnel*	Number of women who gave birth in the preceding two years
LGA									
Banjul	1.3	98.7	.0	.0	.0	.0	**100.0**	100.0	75
Kanifing	10.8	83.9	2.4	.3	1.1	1.5	**100.0**	97.1	694

	Person providing antenatal care								
	Medical doctor	*Nurse midwife*	*Auxiliary midwife*	*Traditional birth attendant*	*Other*	*No antenatal care received*	*Total*	*Any skilled personnel**	*Number of women who gave birth in the preceding two years*
Brikama	12.8	85.2	.5	.3	.8	.5	**100.0**	98.5	750
Mansakonko	22.5	51.9	22.9	.5	.0	2.2	**100.0**	97.2	167
Kerewan	17.2	59.4	19.2	2.0	2.0	.2	**100.0**	95.8	377
Kuntaur	.5	85.1	10.7	.0	3.2	.5	**100.0**	96.3	232
Janjangburch	19.3	36.9	42.6	.6	.3	.3	**100.0**	98.8	313
Basse	7.2	70.5	21.2	.2	.4	.5	**100.0**	98.9	463
Residence									
Urban	11.8	80.0	5.7	.4	.9	1.3	**100.0**	97.5	1037
Rural	12.2	69.6	16.1	.6	1.0	.5	**100.0**	97.9	2033
Age									
15-19	8.5	74.1	13.3	.0	3.3	.7	**100.0**	96.0	275
20-24	11.7	73.7	11.4	1.0	.5	1.6	**100.0**	96.8	810
25-29	11.8	74.8	12.3	.2	.7	.3	**100.0**	98.8	857
30-34	11.8	73.0	13.6	.9	.5	.2	**100.0**	98.4	568
35-39	12.1	73.8	12.2	.0	1.0	.9	**100.0**	98.1	340
40-44	17.8	65.6	13.6	.0	1.8	1.1	**100.0**	97.1	167
45-49	23.3	53.0	20.1	.0	3.6	.0	**100.0**	96.4	51
Education									
None	11.6	71.5	14.7	.6	1.0	.6	**100.0**	97.8	2229
Primary	9.2	76.4	12.1	.6	.6	1.2	**100.0**	97.7	352
Secondary +	15.9	78.2	3.4	.2	1.1	1.2	**100.0**	97.5	489
Wealth index quintiles									
Poorest	16.1	58.1	23.4	.7	1.4	.3	**100.0**	97.6	684
Second	12.2	73.6	11.7	.9	.8	.8	**100.0**	97.5	647
Middle	8.9	77.7	11.1	.3	.8	1.3	**100.0**	97.7	650
Fourth	9.2	79.3	9.4	.0	1.2	.9	**100.0**	97.8	600
Richest	13.6	80.1	4.6	.6	.6	.4	**100.0**	98.3	488
Ethnicity									
Mandinka	14.0	73.7	10.5	.4	.8	.7	**100.0**	98.2	1048
Wollof	11.2	70.3	15.1	1.3	1.9	.3	**100.0**	96.6	384
Fula	11.0	68.4	17.7	.8	1.0	1.1	**100.0**	97.1	706
Jola	12.3	86.3	.3	.0	.7	.4	**100.0**	98.9	302
Serer	3.3	90.0	4.1	.0	.8	1.8	**100.0**	97.4	117
Other ethnic group	11.7	69.2	17.1	.2	1.0	.7	**100.0**	98.1	512
Total	**12.0**	**73.1**	**12.6**	**.5**	**1.0**	**.7**	**100.0**	**97.8**	**3070**

* MICS indicator 20.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

156. Maternal Mortality has witnessed a significant decline from 1050 per 100,000 LB in 1990 to 730 per 100,000 LB in 2001. Women below the age of 20 or above the age of 40 are the most likely to suffer complications. The MMR in urban areas is 600 per 100,000 live births, while the rate increases to 1,171 per 100,000 LB in rural areas. The Upper River Region has the highest MMR at 1,361 per 100,000 LB. Villages without ready access to primary health care have nearly twice the MMR of non-PHC villages (MMS/CPR Survey Report, 2001).

157. The decline of the MMR from 1990 to 2001 may reflect different survey methodologies rather than improvements in maternal health care. Regular national surveys with similar methodology are urgently needed for a more reliable estimate of maternal mortality to guide policy formulation.

158. The main causes of maternal deaths are eclampsia (18 percent), sepsis (12 percent), anti-partum haemorrhage (10 percent) and post-partum haemorrhage (10 percent). Most of these are preventable by improved prenatal care. The micronutrient survey of 2000 revealed that iron deficiency anaemia was a public health problem in The Gambia with 91% of children 0-59 months, 78% of pregnant women and 58% of lactating mothers being anaemic (IMF 2006).

159. Both the public and private sector use radio and television for public health education targeting all segments of society. In addition, the Department of State for Health in collaboration with the National Nutrition Agency and relevant stakeholders support village committees countrywide for the promotion of exclusive breastfeeding during the first six months of life along with nutrition education using local foods and education on good sanitation practices. Furthermore, the Breastfeeding Promotion Regulations, 2006, contains provisions to promote exclusive breastfeeding for the first six months and to prohibit the unscrupulous promotion of undesirable and unhealthy alternative products.

Table 21
Breastfeeding
Percentage of living children according to breastfeeding status at each age group, The Gambia, 2006

	Children 0-3 months		*Children 0-5 months*		*Children 6-9 months*		*Children 12-15 months*		*Children 20-23 months*	
	Percentage exclusively breastfed	*Number of children*	*Percentage exclusively breastfed**	*Number of children*	*Percentage receiving breast milk & solid/ mushy food***	*Number of children*	*Percentage breast-fed****	*Number of children*	*Percentage breast-fed****	*Number of children*
Sex										
Male	51.8	250	39.5	410	42.4	202	91.5	314	54.2	205
Female	53.1	278	42.0	443	45.2	210	93.2	302	52.2	195
LGA										
Banjul	(*)	10	(*)	17	(*)	9	(*)	23	(*)	11
Kanifing	51.6	131	42.9	193	44.9	83	90.3	163	49.3	73
Brikama	59.0	135	48.5	206	37.8	87	86.5	142	59.9	94
Mansakonko	(45.6)	33	(41.0)	49	(57.6)	29	(97.1)	37	(*)	24
Kerewan	50.2	60	34.4	107	62.6	54	97.5	80	49.7	60
Kuntaur	(36.7)	34	23.6	63	(41.2)	29	91.9	50	(39.4)	38
Janjangbureh	55.1	52	45.2	88	(52.1)	43	98.2	50	(59.8)	41
Basse	56.3	72	38.4	129	25.7	77	97.6	70	57.5	60
Residence										
Urban	54.9	199	45.1	291	55.1	140	90.3	236	44.8	121
Rural	51.0	330	38.5	561	38.0	272	93.6	380	56.9	279
Mother's education										
None	51.9	376	39.8	619	40.9	308	94.7	438	55.0	304
Primary	47.7	55	43.6	89	(48.6)	45	84.0	72	57.4	52
Secondary +	57.2	97	43.4	144	55.3	59	88.1	107	(36.4)	45

	Children 0-3 months		Children 0-5 months		Children 6-9 months		Children 12-15 months		Children 20-23 months	
	Percentage exclusively breastfed	Number of children	Percentage exclusively breastfed*	Number of children	Percentage receiving breast milk & solid, mushy food**	Number of children	Percentage breast-fed***	Number of children	Percentage breast-fed***	Number of children
Wealth index quintiles										
Poorest	52.7	107	40.3	191	41.3	94	96.6	130	56.5	100
Second	49.5	107	41.4	183	46.1	87	93.0	117	63.4	89
Middle	53.7	111	43.3	167	40.0	97	92.7	138	57.0	91
Fourth	58.9	117	39.5	184	45.4	66	93.5	117	37.6	69
Richest	45.7	86	39.1	128	48.1	67	85.2	115	43.6	52
Ethnic group of head of household										
Mandinka	58.7	183	46.8	278	44.0	154	94.1	215	51.1	127
Wollof	34.3	71	28.4	116	(50.6)	49	87.6	83	40.0	70
Fula	52.9	139	41.3	217	44.8	96	93.8	120	66.6	96
Jola	(63.9)	39	49.1	63	(29.7)	32	90.2	66	(66.4)	39
Serer	(*)	18	(37.4)	34	(*)	11	(*)	28	(*)	12
Other ethnic group	48.0	78	35.5	145	41.5	69	92.1	104	43.6	57
Total	**52.5**	**528**	**40.8**	**853**	**43.8**	**411**	**92.3**	**616**	**53.2**	**401**

160. Trained village health workers and traditional birth attendants supervised by community health nurses/midwives as the grassroots level also promote preventive and curative health care practices including family planning information and services. These efforts are strengthened by trained health peer educators and traditional communicators countrywide.

161. Access to safe drinking water is essential to good health. The following tables show the main sources of drinking water in The Gambia.

Table 22

Drinking Water Sources and Sanitation
Use of improved water sources and improved sanitation
Percentage of household population using both improved drinking water sources and sanitary means of excreta disposal, The Gambia, 2006

	Percentage of household population			
	Using improved sources of drinking water*	Using sanitary means of excreta disposal**	Using improved sources of drinking water and using sanitary means of excreta disposal	Number of household members
LGA				
Banjul	80.8	96.6	78.5	1507
Kanifing	90.9	95.8	87.1	11383
Brikama	79.0	94.0	74.5	11132
Mansakonko	82.6	65.5	57.5	2965
Kerewan	89.1	86.2	77.7	5139
Kuntaur	83.4	77.1	65.0	3028

	Percentage of household population			
	*Using improved sources of drinking water**	*Using sanitary means of excreta disposal***	*Using improved sources of drinking water and using sanitary means of excreta disposal*	*Number of household members*
Janjangbureh	81.7	30.7	26.4	3861
Basse	87.6	86.4	76.0	5861
Residence				
Urban	91.2	93.3	84.9	17448
Rural	81.3	78.4	64.6	27429
Education of household head				
None	84.1	81.9	69.8	35143
Primary	85.2	88.4	75.4	1892
Secondary +	89.8	93.5	84.1	7842
Wealth index quintiles				
Poorest	82.5	55.8	47.7	9054
Second	79.5	83.5	66.3	8910
Middle	81.3	91.3	74.0	8914
Fourth	87.3	93.4	82.5	8948
Richest	94.9	97.2	92.2	9050
Ethnic group of head of household				
Mandinka	85.8	88.5	76.3	15889
Wollof	82.8	80.8	70.3	5747
Fula	84.2	71.0	59.6	9186
Jola	81.6	90.0	73.9	4834
Serer	80.4	89.3	72.4	1588
Other ethnic group	89.7	89.1	81.0	7632
Total	**85.1**	**84.2**	**72.5**	**44877**

* MICS indicator 11; MDG indicator 30.

** MICS indicator 12; MDG indicator 31.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

Table 23

Main Sources of Drinking Water

	Main source of drinking water												*Total*	*Improved source of drinking water*	*Number of household members*
	Improved sources							*Unimproved sources*							
	Piped into dwelling	*Piped into yard or plot*	*Public tap/stand pipe*	*Tubewell /borehole*	*Protected well*	*Rain-water collection*	*Bottled water*	*Unprotected well*	*Tanker-truck*	*Surface water*	*Other*	*Missing*			
LGA															
Banjul	10.9	66.5	2.8	.0	.0	.0	.5	.0	.0	.0	17.8	1.5	**100.0**	80.8	1507
Kanifing	16.6	43.7	28.7	.3	1.4	.0	.3	1.3	.0	.0	7.7	.1	**100.0**	91.0	11383

	Main source of drinking water												Total	Improved source of drinking water	Number of household members
	Improved sources							Unimproved sources							
	Piped into dwelling	Piped into yard or plot	Public tap/stand pipe	Tubewell borehole	Protected well	Rain water collection	Bottled water	Unprotected well	Tanker-truck	Surface water	Other	Missing			
Brikama	4.7	8.2	38.1	19.4	8.6	.0	.2	19.5	.0	.0	1.2	.1	**100.0**	79.2	11132
Mansakonko	1.1	2.0	35.4	30.0	14.2	.0	.0	16.8	.2	.0	.3	.0	**100.0**	82.6	2965
Kerewan	1.8	3.6	49.1	16.5	17.9	.2	.0	10.7	.0	.0	.2	.0	**100.0**	89.1	5139
Kuntaur	.8	2.0	6.8	64.0	9.9	.0	.0	16.6	.0	.0	.0	.0	**100.0**	83.4	3028
Janjanburay	1.7	1.8	10.4	53.1	14.8	.0	.0	18.3	.0	.0	.0	.0	**100.0**	81.7	3861
Basse	.9	1.9	52.9	28.3	3.6	.0	.0	12.4	.0	.0	.0	.0	**100.0**	87.6	5861
Area															
Urban	13.4	38.0	36.1	1.9	1.6	.0	.2	1.9	.0	.0	6.7	.2	**100.0**	91.2	17448
Rural	1.9	2.7	31.1	33.7	11.9	.0	.1	18.1	.0	.0	.5	.0	**100.0**	81.4	27429
Education level of head of household															
None	3.9	12.3	34.8	24.4	8.7	.0	.1	13.2	.0	.0	2.5	.1	**100.0**	84.2	35143
Primary	6.9	29.7	28.0	17.7	2.8	.0	.0	9.3	.0	.0	5.0	.5	**100.0**	85.2	1892
Secondary	17.3	31.9	26.5	8.5	5.5	.0	.2	6.2	.0	.0	4.0	.0	**100.0**	89.8	7842
Wealth index quintiles															
Poorest	.0	.0	16.4	51.7	14.4	.0	.0	17.3	.1	.0	.1	.0	**100.0**	82.5	9054
Second	.0	.7	36.4	31.6	10.7	.1	.0	19.3	.0	.0	1.1	.1	**100.0**	79.5	8910
Middle	.9	4.4	53.4	14.4	8.1	.0	.5	14.6	.0	.0	3.6	.1	**100.0**	81.7	8914
Fourth	6.5	19.8	46.9	8.5	5.4	.0	.1	6.6	.0	.0	6.1	.0	**100.0**	87.3	8948
Richest	24.2	56.8	12.6	.4	.8	.0	.1	1.4	.0	.0	3.5	.2	**100.0**	94.9	9050
Ethnic group of head of household															
Mandinka	6.0	14.6	36.1	22.1	7.0	.1	.1	11.6	.0	.0	2.3	.2	**100.0**	85.9	15889
Wollof	10.3	22.4	28.2	12.2	9.7	.0	.1	14.2	.0	.0	3.0	.0	**100.0**	82.9	5747
Fula	3.0	15.2	22.5	33.9	9.5	.0	.2	12.5	.0	.0	3.2	.0	**100.0**	84.3	9186
Jola	4.2	13.4	35.9	20.9	7.0	.1	.1	14.1	.1	.0	3.9	.2	**100.0**	81.6	4834
Serer	9.2	31.3	28.5	4.5	6.9	.0	.1	9.1	.0	.0	10.5	.0	**100.0**	80.4	1588
Other ethnic group	8.9	16.0	42.2	15.3	7.2	.0	.1	8.7	.0	.0	1.6	.1	**100.0**	89.7	7632
	6.3	16.4	33.0	21.3	7.9	.0	.1	11.8	.0	.0	2.9	.1	**100.0**	85.2	44877

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul).

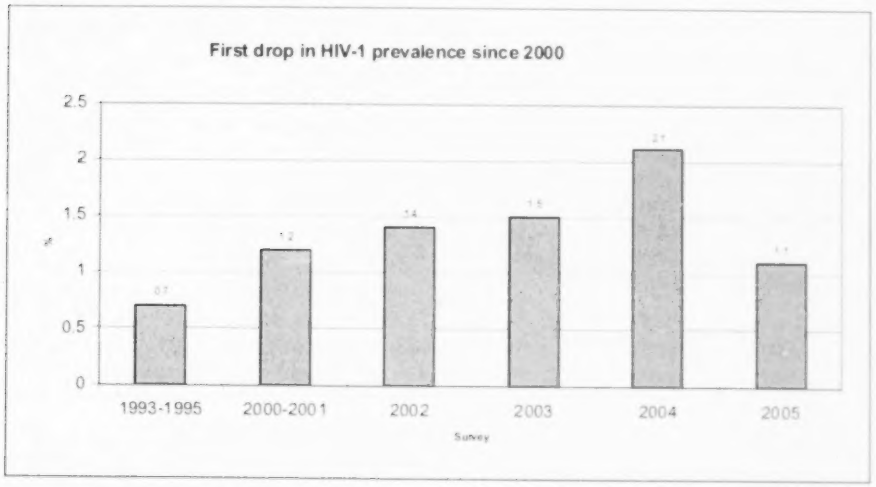
162. In addition to over US $10 million received for the prevention of malaria, The Global Fund to Fight AIDS, Tuberculosis and Malaria has provided US $2,155,931 for the prevention, treatment, care and support services for people living with TB. The incidence and prevalence of TB in The Gambia are unknown; however, cases increased from 900 in 1994 to 1963 in 2004. With grant funds, diagnostic and treatment centres for TB increased from 14 to 19 from 2006 to 2007. The number of new cases detected increased from 258 to 1537, while 1440 health care providers received training. The number of patients receiving food and transport during intensive treatment increased from 0 to 1,537, and new emphasis was placed on collaborative HIV/TB activities, including testing. Community outreach

efforts including distribution of nearly 17,000 posters, t-shirts, leaflets and other items. While this project is not targeted at children, improved education, diagnosis, treatment and support helps children along with their ill caregivers.

163. As far as HIV/AIDS, in 2001 The Gambia received funding from the World Bank for the implementation of an HIV/AIDS Rapid Response Project (HARRP). Within the framework of this US $10 million project a National AIDS Council (NAC) and National AIDS Secretariat (NAS) were established. In 2003 a National HIV/AIDS Strategic Plan covering the period 2003 to 2008 was developed. In 2004, The Gambia accessed additional funding from The Global Fund, which has since disbursed US $8,695,949 to support the prevention and treatment of HIV/AIDS. As a result of the Global Fund project, over 27,000 people have received voluntary counseling and testing, and 552 staff have been trained in how to provide these services. An additional 562 workers were training in prevention of mother to child transmission (PMTCT) with 17,369 women completing the counseling and testing process, and 350 receiving a complete course of ARV prophylaxis to reduce the risk of mother to child transmission. Over 1500 orphans and vulnerable children have benefited from free basic external support.

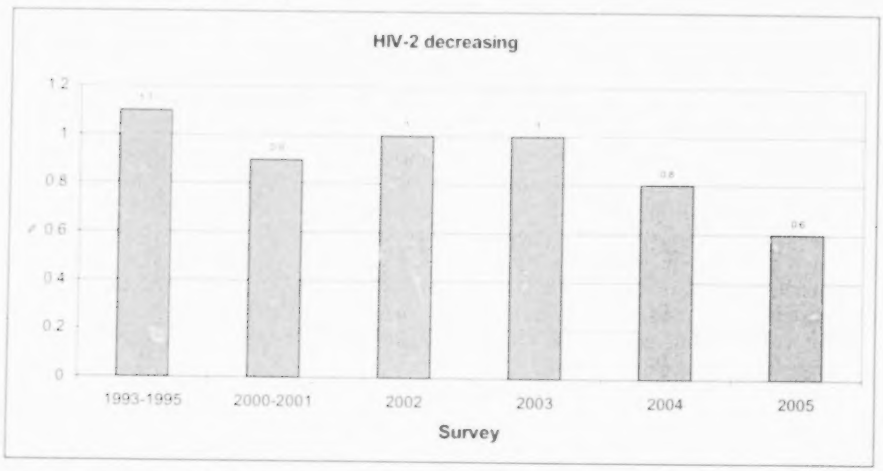
164. In 2005, the Annual Gambia HIV Sentinel Surveillance in Antenatal Clinic revealed drops in both HIV-1 and HIV-2 (see following two figures).

Figure 3
HIV-1 (1993-1995, 2000-2005)



Source: 2006 Gambia HIV Sentinel Surveillance in Antenatal Clinic

Figure 4
HIV-2 (1993-1995, 2000-2005)



Source: 2006 Gambia HIV Sentinel Surveillance in Antenatal Clinic.

165. The Sentinel project is carried out by the National AIDS Secretariat, Department of State for Health, Medical Research Council (MRC), RCH, WEC, and Hands on Care.

166. In a very recent positive development, Dr. Assan Jaye of The Gambia received a 2007 International Leadership Award from the Elizabeth Glaser Pediatric AIDS Foundation. The award will support the establishment of a pediatric HIV Clinic and Research Unit to study the development and treatment of pediatric HIV. While the overall number and percentage of children infected with HIV/AIDs is not available, from 2005-2007, 243 children were born to HIV positive mothers and assumed to be HIV positive. Children under 18 months of age are not tested for HIV given the methods currently available in The Gambia.

167. The 2007 MICS-III survey identified 22,859 children as orphaned or vulnerable due to AIDS. (See the Table 13, above, for disaggregated data). Since 2003, under its HIV programme, BAFROW has registered about 300 orphans and vulnerable children, who are receiving 10% of their school fees and other basic welfare support. For more information on other support for orphans and vulnerable children, see paragraphs 99-106.

168. Challenges in the health sector include lack of financial resources and qualified medical personnel. Efforts aimed at fostering additional partnerships at bilateral and multilateral levels are being undertaken by the government. However, donor fatigue and lack of donor coordination towards a concerted approach for the attainment of national and international goals remain a formidable challenge.

D. Adolescent health

169. Disaggregated data on adolescents affected by early pregnancy, sexually transmitted infections, mental health problems, and drug and alcohol abuse do not exist. This topic presents a challenge in a religious society where certain practices are not easily accepted. For instance, the 2003 study on the Sexual Abuse and Exploitation of Children in The Gambia revealed that the majority of adult community leaders, both male and female, were wary about sex education programmes in schools and children's right to take responsibility for their own sexual and reproductive health. Many saw this as a Western attitude

encouraging children to engage in immoral behaviour. Most opposed the idea of their children having access to medical treatment and advice on sexual and reproductive health without parental consent.

170. Nevertheless, the Gambia Family Planning Association assists a number of teenage girls, treating them for sexually transmitted infections, offering pregnancy and HIV tests, and liaising with CPA, the Department of Social Welfare, and the Child Welfare Office of the Gambia Police Force in cases of abuse. Other NGOs, such as the Youth With a Vision Girls Platform, also focus on adolescent reproductive health, teenage pregnancy and related issues. These complement the life skills programmes offered by the Department of State for Basic and Secondary Education.

171. In the area of HIV/AIDS prevention, in 2004 6,000 booklets on HIV/AIDS were produced and distributed among young people. Each year since 2004, there has been a national drama competition on HIV/AIDS for schools. Weekly radio talk shows about HIV/AIDS on a local FM station potentially reach all the young people in the Kanifing Municipality. In 2005 a Life Skills Programme and Manual for HIV Prevention among young people was developed and finalized; this was used to train over 1000 youth in 2006.

E. Early marriage

172. The Children's Act, 2005 defines a "child" as a person under the age of eighteen years and PART IV section 24 states:

> "Subject to the provisions of any applicable personal law, no child is capable of contracting a valid marriage, and a marriage so contracted is voidable.

173. Furthermore, section 25 prohibits parents and guardians from betrothing or giving out children in marriage. While this provision looks strong at first glance, in fact "any applicable personal law" include Sharia law, which permits marriage upon physical maturity, which often occurs well before age 18. Since approximately 95% of the population falls under Sharia law, child marriage remains a common practice. Under such traditional practices, girls are married off at an age when they are not only incapable of offering their consent, but also not yet ready or prepared to take over the responsibilities of parenthood. This often results in a lifetime of poor health and a lot of hardship.

174. A number of NGOs, including GAMCOTRAP, BAFFROW, CPA, and others carry out awareness campaigns to discourage early and forced marriage and address this systemic social problem. Meanwhile, an increase in the allocation of resources for the Department of Social Welfare should be coupled with an increase in the number of youth-sensitive social workers, psychologists, counselors, legal representation, and rehabilitation facilities.

Table 24

Early Marriage and Polygamy

Percentage of women aged 15-49 in marriage or union before their 15th birthday, percentage of women aged 20-49 in marriage or union before their 18th birthday, percentage of women aged 15-19 currently married or in union, and the percentage of married or in union women in a polygamous marriage or union, The Gambia, 2006

	*Percentage married before age 15**	*Number of women aged 15-49*	*Percentage married before age 18**	*Number of women aged 20-49*	*Percentage of women 15-19 married in union***	*Number of women aged 15-19*	*Percentage of women aged 15-49 in polygamous marriage union****	*Number of women aged 15-49 currently married in union*
LGA								
Banjul	5.8	324	29.9	242	17.1	81	15.9	169
Kanifing	7.5	2872	31.9	2220	13.1	652	32.9	1613
Brikama	9.5	2549	43.1	1930	16.5	619	37.2	1661
Mansakonko	12.8	531	58.3	407	25.6	124	51.4	390
Kerewan	18.4	1012	47.6	813	33.6	199	48.9	803
Kuntaur	14.1	547	73.5	416	44.1	131	52.5	444
Janjangbureh	8.6	891	68.8	684	33.8	206	53.6	696
Basse	8.4	1258	74.8	988	53.5	270	56.9	1064
Residence								
Urban	8.1	4251	35.9	3255	15.3	996	33.5	2471
Rural	11.2	5731	58.1	4444	32.6	1286	49.3	4368
Age								
15-19	4.8	2282		0	25.1	2282	24.2	572
20-24	7.3	2023	35.9	2023		0	28.4	1292
25-29	10.5	1915	47.2	1915		0	38.0	1597
30-34	15.5	1352	57.2	1352		0	48.8	1226
35-39	12.3	1047	53.6	1047		0	55.0	948
40-44	15.4	822	60.3	822		0	61.5	733
45-49	12.0	540	53.3	540		0	63.0	471
Education								
None	13.6	6083	58.9	5276	50.5	807	48.3	5133
Primary	8.3	1173	48.1	796	23.6	376	35.7	717
Secondary +	2.4	2726	15.8	1627	6.9	1099	24.5	989
Wealth index quintiles								
Poorest	12.9	1707	65.9	1369	38.9	338	45.0	1401
Second	11.0	1896	54.6	1462	26.6	434	49.4	1378
Middle	12.0	2012	53.0	1550	27.7	462	44.1	1446
Fourth	8.9	2139	46.0	1594	26.6	545	44.1	1419
Richest	5.8	2228	28.7	1724	10.4	504	33.9	1195

	Percentage married before age 15*	Number of women aged 15-49	Percentage married before age 18*	Number of women aged 20-49	Percentage of women 15-19 married or in union**	Number of women aged 15-19	Percentage of women aged 15-49 in polygamous marriage or union***	Number of women aged 15-49 currently married or in union
Ethnicity								
Mandinka	8.9	3514	46.3	2647	19.5	867	45.7	2527
Wollof	9.3	1295	44.4	1029	20.7	266	45.4	889
Fula	15.0	1985	64.4	1530	43.1	455	38.6	1540
Jola	6.2	1086	32.8	844	10.5	243	40.9	646
Serer	9.4	386	31.5	307	6.6	79	24.7	213
Other ethnic group	9.1	1716	52.8	1342	32.3	373	49.1	1223
Total	**9.9**	**9982**	**48.7**	**7700**	**25.1**	**2282**	**43.6**	**6839**

* MICS indicator 67

** MICS indicator 68

*** MICS indicator 70

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

F. Social security and childcare services and facilities (arts. 26 and 18 (3))

175. The Social Security and Housing Finance Corporation was established by an Act of Parliament in 1981, taking effect in 1982. In 1996 the Injuries Compensation Act added The Industrial Injuries Compensation Fund. Social Security in The Gambia provides pension and retirement benefits, compensation in case of injury on the job, and support in case of death or unemployment to members meeting the requisite conditions and their survivors. It supports those working in the formal sector, although any employee may voluntarily register and pay into the fund. Lack of birth records, inconsistency of documents and names, and other factors make it difficult or time-consuming in some cases to receive benefits. Social Security in The Gambia does not include child care services; for more on those, see paragraphs 168-170.

G. Standard of living (art. 27 (1–3))

176. According to the UNDP 2007/8 Human Development Report (based on 2005 data), The Gambia has a human development index (HDI) of 0.502, placing it 155th out of 177 countries with data. Life expectancy at birth is 58.8 years (138th out of 177 countries), combined primary, secondary and tertiary school gross enrolment rate is 50.1% (149th) and GDP per capita is US$ 1921 (148th). The Gambia's Human Poverty Index is 40.9, or 94th among 108 developing countries. All of these figures have improved over the past few years, demonstrating a positive trend in standard of living.

H. Challenges

177. In the area of Basic Health and Welfare, major challenges include the following:

- Lack of human resources and high attrition rates due to poor remuneration and limited incentives;

- Inadequate financial resources, needed to fund educational and outreach programmes and build, equip, staff, supply, and maintain health care facilities;
- Stigma and cultural barriers in certain areas related to health and the provision of care.

VII. Education, leisure and cultural activities (arts. 28, 29 and 31)

A. Education, including vocational training and guidance (art. 28)

178. The Gambia Government has ambitious goals for the second phase of its Education Programme (2004-2015), focusing on expanding access and improving the quality of education, especially for girls. Enrolment rates at the primary (lower basic) and secondary levels, especially for girls in rural areas, have risen considerably. In 1995-6 the enrolment rate for girls in Lower Basic was 55%; by 2005-6, this had risen to 80%. If madrassas were included, the rate would be 93% for the year. (See following table). Various initiatives have worked to increase girls' enrolment: Girl Friendly Schools, Mothers' Clubs, and so on. With the support of the World Bank, UNICEF, the President's Girls Empowerment Programme, and other sponsors, education is free for all girls in all regions.

Table 25
GER in Lower and Upper Basic Schools (2001-2007)

Indicators	*Status (%)*					
Lower Basic education	*2001/02*	*2002/03*	*2003/04*	*2004/05*	*2005/06*	*2006/07*
GER excluding Madrassa	76	80	80	79	78	77
GER including Madrassa	87	91	80	79	89	92
% female enrolment including Madrassa	82	90	81	81	90	93
% female enrolment excluding Madrassa	72	79	81	81	81	80
Upper Basic education						
GER excluding Madrassa	45	57	58	62	60	58
GER including Madrassa	45	57	58	62	83	61
% female enrolment including Madrassa	38	50	52	58	78	58
% female enrolment excluding Madrassa	38	50	52	58	57	56

Source: Planning Unit (DOSE, now DOSBSE).

179. As the following two tables show, there still may be some delays in starting the educational process; only about one-third of the seven-year-olds surveyed were attending school. The MICS-III survey also showed disparities between urban and rural rates of school attendance. As might be expected, there is also a direct correlation between income and school attendance. Strong macro-economic policies, poverty reduction programmes, and continued economic growth should help more families to take advantage of educational opportunities.

Table 26
Primary School Entry
Percentage of children of primary school entry age attending Grade 1, The Gambia, 2006

	*Percentage of children of primary school entry age currently attending grade 1**	*Number of children of primary school entry age*

		*Percentage of children of primary school entry age currently attending grade 1**	*Number of children of primary school entry age*
Sex	Male	29.5	736
	Female	30.4	724
LGA	Banjul	(35.7)	32
	Kanifing	33.3	288
	Brikama	32.4	368
	Mansakonko	27.9	139
	Kerewan	25.5	164
	Kuntaur	21.0	117
	Janjangbureh	30.5	143
	Basse	29.6	207
Area	Urban	35.5	456
	Rural	27.4	1004
Age	7	29.9	1460
Mother's education	None	28.3	1203
	Primary	32.6	124
	Secondary	42.0	132
Wealth index quintiles	Poorest	22.5	354
	Second	29.9	326
	Middle	29.5	280
	Fourth	32.2	257
	Richest	38.9	243
Ethnic group of head of household	Mandinka	31.1	539
	Wollof	25.9	175
	Fula	27.0	296
	Jola	29.8	141
	Serer	(27.8)	46
	Other ethnic group	34.0	263
Total		**29.9**	**1460**

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

Table 27

Primary School Net Attendance Ratio

Percentage of children of primary school age attending primary or secondary school (NAR), The Gambia, 2006**

	Male		*Female*		*Total*	
	Net attendance ratio	*Number of children*	*Net attendance ratio*	*Number of children*	***Net attendance ratio****	***Number of children***
LGA						
Banjul	73.8	93	81.5	94	**77.6**	**187**
Kanifing	75.4	799	71.7	837	**73.5**	**1636**

	Male		Female		Total	
	Net attendance ratio	*Number of children*	*Net attendance ratio*	*Number of children*	***Net attendance ratio****	***Number of children***
Brikama	72.7	969	71.3	968	**72.0**	**1938**
Mansakonko	46.2	363	66.2	285	**55.0**	**648**
Kerewan	51.1	480	47.8	514	**49.4**	**995**
Kuntaur	36.2	310	46.3	298	**41.2**	**608**
Janjangbureh	51.1	343	64.5	363	**58.0**	**705**
Basse	48.0	513	45.1	557	**46.5**	**1070**
Residence						
Urban	74.8	1261	72.5	1311	**73.6**	**2572**
Rural	52.9	2609	56.5	2606	**54.7**	**5215**
Age**						
7	35.0	736	35.6	724	**35.3**	**1460**
8	52.8	743	53.9	736	**53.4**	**1479**
9	69.9	558	72.2	546	**71.0**	**1104**
10	66.0	689	68.6	744	**67.4**	**1434**
11	73.5	513	75.5	487	**74.5**	**1000**
12	71.5	631	73.0	680	**72.3**	**1311**
Mother's Education						
None	56.8	3192	58.6	3223	**57.7**	**6415**
Primary	69.4	306	71.4	295	**70.4**	**601**
Secondary +	79.9	373	81.5	399	**80.7**	**771**
Wealth index quintiles						
Poorest	42.6	876	46.2	883	**44.4**	**1759**
Second	59.0	857	61.4	863	**60.2**	**1721**
Middle	63.5	751	59.5	778	**61.5**	**1529**
Fourth	67.6	765	68.6	738	**68.1**	**1503**
Richest	72.3	621	79.0	655	**75.8**	**1276**
Ethnic group of head of household						
Mandinka	63.8	1389	66.2	1436	**65.0**	**2824**
Wollof	52.8	433	53.6	525	**53.2**	**958**
Fula	51.9	809	55.0	763	**53.4**	**1573**
Jola	76.5	396	69.4	403	**72.9**	**799**
Serer	63.4	110	68.7	127	**66.2**	**237**
Other ethnic group	56.8	733	61.3	662	**58.9**	**1395**
Total	**60.0**	**3871**	**61.9**	**3917**	**61.0**	**7787**

* MICS Indicator 55; MDG Indicator 6.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

Table 28

Children Reaching Grade 5

Percentage of children entering first grade of primary school who eventually reach Grade 5, The Gambia, 2006

	Percent attending 2nd grade who were in 1st grade last year	*Percent attending 3rd grade who were in 2nd grade last year*	*Percent attending 4th grade who were in 3rd grade last year*	*Percent attending 5th grade who were in 4th grade last year*	*Percent who reach grade 5 of those who enter 1st grade**
Sex					
Male	99.5	99.3	99.5	99.8	98.1
Female	99.5	98.4	98.0	99.1	95.2
LGA					
Banjul	100.0	96.8	100.0	100.0	96.8
Kanifing	99.7	99.2	99.6	99.1	97.7
Brikama	100.0	99.8	99.7	100.0	99.5
Mansakonko	100.0	97.3	98.7	100.0	96.0
Kerewan	100.0	100.0	100.0	100.0	100.0
Kuntaur	100.0	100.0	94.0	97.5	91.6
Janjangbureh	97.7	94.5	95.2	100.0	87.9
Basse	99.2	99.4	98.1	98.2	95.0
Residence					
Urban	99.8	99.1	99.8	99.4	98.1
Rural	99.4	98.7	98.1	99.5	95.7
Mother's education					
None	99.5	99.1	98.6	99.5	96.7
Primary	100.0	97.3	98.9	100.0	96.3
Secondary +	99.4	97.7	100.0	99.0	96.2
Wealth index quintiles					
Poorest	99.7	98.5	96.0	100.0	94.3
Second	99.5	98.4	99.6	99.4	96.9
Middle	99.4	99.3	98.1	99.0	95.8
Fourth	99.2	99.0	100.0	99.6	97.8
Richest	100.0	99.0	99.5	99.5	98.0
Ethnic group of head of household					
Mandinka	99.8	99.2	99.3	99.7	98.1
Wollof	98.3	94.3	94.5	98.7	86.4
Fula	99.1	99.5	99.4	100.0	98.0
Jola	100.0	100.0	100.0	99.2	99.2
Serer	97.5	96.8	98.0	100.0	92.5
Other ethnic group	100.0	99.2	99.2	98.9	97.4
Total	**99.5**	**98.8**	**98.8**	**99.5**	**96.6**

* MICS indicator 57; MDG indicator 7

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

180. While the above table shows excellent completion rates through grade 5, fewer children made the transition to upper basic school (see table following). From 1999 to 2005, access to upper basic (Grades 7-9) showed the most improvement of any level, with a 25 point increase in the overall Gross Enrolment Rate, and near parity between boys and girls. However, considering that the goal is 100% transition, progress still needs to be made in bridging between the two levels of education.

Table 29
Transition Rate from Lower to Upper Basic School (2005-6)

	Enrolment grade 7		*In*	*Repeaters in grade 7*			*New intake g7*			*Grade enrolment 2004/05*			*6 in*	*Transition rate*	
Regional Education Directorate	*G7M*	*G7F*	*G7T*	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*			
Regional Education Directorate 1	3011	3309	6320	29	32	61	2982	3277	6259	3220	3658	6878	93%	90%	91%
Regional Education Directorate 2	3892	3670	7562	66	58	124	3826	3612	7438	4222	3948	8170	91%	91%	91%
Regional Education Directorate 3	1322	1157	2479	27	29	56	1295	1128	2423	1602	1311	2913	81%	86%	83%
Regional Education Directorate 4	618	614	1232	76	98	174	542	516	1058	617	621	1238	88%	83%	85%
Regional Education Directorate 5	1001	1123	2124	29	33	62	972	1090	2062	1155	1281	2436	84%	85%	85%
Regional Education Directorate 6	856	683	1539	36	46	82	820	637	1457	1012	842	1854	81%	76%	79%
The Gambia	10700	10556	21256	263	296	559	10437	10260	20697	11828	11661	23489	88%	88%	88%

Education Statistic Brief 2005/6 – released May 2007.

181. At the senior secondary level, the overall Gross Enrolment Rate almost doubled, though a gap remained between boys and girls. In 2005-2006, 50% of students (48% boys and 53% girls) transited to Senior Secondary School. Thus, the government has already attained the policy target of a minimum of 50% transition rate by the year 2015. However, the overall GER was 27% (31% boys and 23% girls), revealing low participation at this level. Contributions from individual donors and private sector organisations significantly impact senior secondary schools. Private schools, whether subsidized (41 percent) or unsubsidized (46%), provide more than 88 percent of senior secondary schooling.

Table 30
Transition Rate from Upper Basic to Senior Secondary School (2005-6)

	Boys	*Girls*	*Total*
Enrolment Grade 9 2004/05	12008	9609	**21617**
Repeaters grade 10 2005/06	371	468	**839**
Enrolment Grade 10 2005/06	6098	5547	**11645**
New Intake Grade 10, 2005/06	5727	5079	**10806**
Transition Rate	48%	53%	**50%**

Education Statistic Brief 2005/6 – released May 2007

Table 31

Secondary School Attendance Ratio

Percentage of children of secondary school age attending secondary school or higher (NAR), The Gambia, 2006**

	Male		*Female*		*Total*	
	Net attendance ratio	*Number of children*	*Net attendance ratio*	*Number of children*	*Net attendance ratio**	*Number of children*
LGA						
Banjul	55.0	93	56.8	102	56.0	195
Kanifing	58.7	783	48.3	866	53.3	1648
Brikama	44.6	857	42.0	867	43.3	1724
Mansakonko	25.4	286	29.8	200	27.2	487
Kerewan	30.7	344	25.3	380	27.9	724
Kuntaur	25.5	204	15.4	221	20.2	425
Janjangburch	27.6	264	23.4	316	25.3	580
Basse	17.1	387	12.6	472	14.7	859
Residence						
Urban	56.1	1209	49.2	1370	52.4	2579
Rural	29.1	2009	23.8	2055	26.4	4064
Age**						
13	16.8	554	16.1	678	16.4	1232
14	30.6	482	28.3	817	29.2	1299
15	41.8	661	43.8	439	42.6	1100
16	49.1	508	48.9	465	49.0	973
17	49.8	443	46.4	455	48.1	898
18	48.4	570	33.6	571	41.0	1140
Mother's education						
None	37.9	2904	32.3	3082	35.0	5986
Primary	36.9	116	41.8	148	39.6	264
Secondary +	60.0	198	54.7	194	57.4	392
Wealth index quintiles						
Poorest	20.8	594	14.2	612	17.5	1207
Second	35.1	648	28.5	690	31.7	1338
Middle	34.5	666	30.9	696	32.7	1361
Fourth	42.4	621	36.6	761	39.2	1382
Richest	60.7	689	57.9	665	59.3	1354
Ethnic group of head of household						
Mandinka	43.0	1206	38.0	1288	40.4	2494
Wollof	37.4	354	31.5	409	34.3	763
Fula	36.4	589	26.1	669	30.9	1258
Jola	46.8	373	45.1	370	46.0	743
Serer	47.3	100	49.0	121	48.2	221
Other ethnic group	29.5	596	25.4	567	27.5	1163
Total	**39.2**	**3218**	**34.0**	**3424**	**36.5**	**6642**

* MICS indicator 56

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

182. New basic and senior secondary schools have been built, along with junior and senior staff quarters to alleviate the dire accommodation needs, especially of teachers posted to deprived areas. Extra allowances are also being provided as incentives to recruit and retain teachers in these areas.

Table 32
Number of Schools (1999-2000)
No. of Schools by Local Government Areas (LGA) 1999-2000

	Lower Basic	*Upper Basic*	*Basic Cycle*	*Senior Secondary*	*Total*
Region1	36	29	4	14	**79**
Region 2	73	21	14	4	**98**
Region 3	64	14	14	3	**81**
Region 4	40	5	5	1	**46**
Region 5	70	9	16	2	**81**
Region 6	63	8	10	1	**72**
Total	**346**	**86**	**63**	**25**	**457**

Source: Planning Unit (DOSE, now DOSBSE)

Table 33
Number of Schools (2004-5)
Number of Schools by Local Government Areas (LGA) 2004-2005

	Lower Basic	*Upper Basic*	*Basic Cycle*	*Senior Secondary*	*Total*
Region1	45	36	4	23	**108**
Region 2	66	32	14	13	**125**
Region 3	61	10	14	4	**89**
Region 4	43	4	5	1	**53**
Region 5	66	8	16	5	**95**
Region 6	67	7	10	3	**87**
Total	**348**	**97**	**63**	**49**	**557**

Source: Planning Unit (DOSE, now DOSBSE). Source: Planning Unit (DOSE, now DOSBSE)

B. Vocational education

183. In 2002 the National Training Authority was established by the National Assembly. This privately led, autonomous group oversees and coordinates all training institutions and regulates skills training and appropriate technology in the country. The key institution for vocational/technical education is the Gambia Technical Training Institute (GTTI), which provides two-year programs in mechanical, electrical and construction engineering, computer technology and commercial subjects to about 1,200 full-time and part-time students. The Banjul Skills Centre, with the capacity for 200 students, prepares Grade 9 graduates for entry into GTTI. Other organisations and institutions, such as the Julangel Skills Centre and the Rural Vocational Skills Centre, offer similar courses at a lower level. In addition to these publicly funded institutions, there are some 30 private institutions, serving mainly the commercial sector (apart from the Gambia Telecommunications and Multi-media Institute), with a capacity of about 3,500 students.

C. Early childhood development

184. In the area of early childhood development (ECD) The Gambia has adopted an integrated approach: nutrition, health, and education in a minimum package. Operational guidelines for ECD have been reviewed, a database established, and the ECD training programme enhanced.

185. Until 1995, there were 125 registered pre-schools located mostly in the Greater Banjul Area. The most recent statistics reveal that there are now 360 in the country, with rural areas benefiting alongside urban areas. Early Child Development Centres (ECDCs) are often provided or run by religious missions, NGOs or private individuals. However, the most recent initiative by the Department of State for Basic and Secondary Education is to annex EDCDs to lower basic schools in areas lacking facilities.

186. As the following table shows, the percentage of children attending early childhood school remains low, particularly in rural areas. Affordability poses a major constraint for poorer households, where traditional practices such as leaving children with relatives or having children accompany their mothers to farms or other workplaces still dominate. However, the government's Education Policy (2004-20015) acknowledges the important of the early years and includes early childhood care and development as part of the basic education cycle.

Table 34
Early Childhood Education
Percentage of children aged 36-59 months who are attending some form of organised early childhood education programme and percentage of first graders who attended pre-school, The Gambia, 2006

	*Percentage of children aged 36-59 months currently attending early childhood school**	*Number of children aged 36-59 months*	*Percentage of children attending first grade who attended preschool programme in previous year***	*Number of children attending first grade*
Sex				
Male	20.0	1117	29.6	51
Female	19.4	1023	25.2	57
LGA				
Banjul	36.1	75	(*)	5
Kanifing	34.8	568	(43.3)	31
Brikama	20.5	438	(36.3)	33
Mansakonko	22.3	125	(*)	5
Kerewan	6.6	257	(*)	16
Kuntaur	7.5	138	(*)	7
Janjangburch	10.1	220	(*)	1
Basse	9.6	320	(*)	11
Residence				
Urban	30.2	836	(39.6)	48
Rural	13.0	1304	17.4	60
Age of child				
36-47 months	13.7	1247		0
48-59 months	28.2	893		0
7 years***		0	27.3	108

	*Percentage of children aged 36-59 months currently attending early childhood school**	*Number of children aged 36-59 months*	*Percentage of children attending first grade who attended preschool programme in previous year***	*Number of children attending first grade*
Mother's education				
None	14.5	1632	18.7	79
Primary	26.3	230	(*)	6
Secondary +	45.3	278	(*)	23
Wealth index quintiles				
Poorest	6.7	466	(*)	22
Second	14.3	425	(*)	19
Middle	16.0	417	(*)	15
Fourth	21.8	417	(*)	18
Richest	41.6	415	(53.5)	34
Ethnic group of head of household				
Mandinka	18.9	739	(20.6)	43
Wollof	18.5	292	(*)	11
Fula	14.1	457	(*)	21
Jola	32.0	206	(*)	12
Serer	30.1	64	(*)	7
Other ethnic group	20.7	383	(*)	14
Total	**19.7**	**2140**	**27.3**	**108**

* MICS indicator 52.

** MICS indicator 53.

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

D. Literacy

187. The Community Skills Improvement Project (CSIP) launched in 2000, targeting illiterate women and out-of-school youth. Hundreds of communities are currently being assisted through various interventions such as literacy classes, income generating skills training and access to micro credit funds. In 2004 260 literacy facilitators – half male and half female – were identified from all over the country and trained in local orthography, adult teaching techniques and other topics. To facilitate the learning process, over 43,800 literacy primers for learners, 430 facilitators' guides and 280 class record books in Wolof, Mandinka, Pular, Jola and Sarahule were printed and distributed in every part of the country. Other materials such as blackboards, stationery, and so on have also been provided. A total of 416 literacy classes have been established, registering an increase of 25.7% during the period March 2007 to November 2007. The success of this programme is linked, in part, to a change of strategy. In the process, interventions have been expanded in 66 new communities and 41 old communities creating additional centres.

Table 35

Adult Literacy (Women)

Percentage of women aged 15-24 who are literate*, The Gambia, 2006

	Percentage literate*	Percentage not known**	Number of women aged 15-24
LGA			
Banjul	65.2	7.7	154
Kanifing	59.4	4.9	1268
Brikama	52.5	4.0	1154
Mansakonko	36.3	4.9	207
Kerewan	29.5	2.7	378
Kuntaur	16.2	1.8	235
Janjanbureh	27.1	10.8	364
Basse	13.2	1.8	548
Residence			
Urban	58.4	4.6	1900
Rural	30.9	4.4	2406
Education			
None	7	4.1	1907
Primary	10.7	14.4	625
Secondary +	100.0	1.4	1774
Age			
15-19	50.8	5.0	2282
20-24	34.3	4.0	2023
Wealth index quintiles			
Poorest	15.7	4.0	650
Second	36.1	3.5	761
Middle	36.8	3.9	871
Fourth	45.7	5.6	987
Richest	67.9	5.0	1037
Ethnic group of head of household			
Mandinka	40.4	4.1	1559
Wollof	44.1	8.2	633
Fula	30.2	3.2	859
Jola	57.6	3.7	437
Serer	58.5	3.5	118
Other ethnic group	32.2	4.2	684
Missing	(*)	(*)	15
Total	**43.1**	**4.5**	**4306**

* MICS indicator 60; MDG indicator 8

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

E. Inclusiveness of education

188. The Government of The Gambia recognises and upholds the right to quality education for all. As part of its commitment to integrate children with special needs into the education system, the Government has made special education an integral part of the basic education programme. Government education policy aims to increase access and opportunities for special learners to maximize their potential for self-development and employment. In the Greater Banjul area, three special schools serve children with severe visual impairments, hearing impairments, speech disorders and learning difficulties. Students with less severe disabilities are mainstreamed into basic and secondary schools. In schools where these students are integrated, teachers have been trained in the special skills needed to include them.

189. The Government addresses issues of both access and quality. Students with learning difficulties, for example, are provided with bus service to enable them to attend school regularly. Those with auditory difficulties in both urban and rural settings have access to a mobile audiology test facility.

190. It is difficult to pin down the number of children affected by HIV/AIDS. However, Government has developed a response to the pandemic to ensure that both teachers and pupils either infected or affected are provided for accordingly.

191. The Department of State for Basic and Secondary Education has non-discriminatory policy vis-a-vis access to quality education and has worked to create an environment conducive to increasing the demand for education. School girls who become pregnant can be reabsorbed into the school system without hindrance. In short, Government policy is tied to inclusive education.

192. An area where the education system has not made significant inroads has to do with the dara system. The dara is an informal "school" for Muslims, and learners in such centres are taught to memorise the Holy Quran in addition to other Islamic teachings. The methods employed are purely traditional, and the system is more pronounced in the rural area. Learners in such schools or centres often work for their "teachers" or custodians and may be sent out to beg on the streets. Admittedly, it has been difficult to enroll these learners in conventional schools, and, therefore, children who form part of this system may be considered to be "missing in education." The Government has attempted to bring these schools into the educational system by synchronizing the curricula, posting English teachers to bring up the standard, and otherwise working with the madrassa systems.

F. Aims of education (art. 29) with reference to quality of education

193. The National Assessment Test (NAT), administrated in grades 3 and 5, measures learning achievements in the core subjects including mathematics, English language, social and environmental studies. The findings show that in all subjects at least 90% of students did not reach the mastery level of 75%. These results indicate that more progress must be made in improving the effectiveness or quality of education being offered.

194. As a step in that direction, Learning Achievement Targets are now available for grades 1-6. These are benchmarks that students are expected to master at a certain grade level and are to be aligned with a new curriculum produced by the Curriculum Directorate for grades 1-4. Core subjects comprise English, math, and integrated studies. The subject area coordinator is primarily responsible for curriculum design, but a panel of senior teachers provides input on content and methodology. These measures should help.

195. The pupil/textbook ratio is being decreased from 2:1 to 1:1, with textbooks provided free of charge for girls at the lower and upper basic levels; arrangements are in process to supply books free of charge to all pupils in the basic cycle. Quality assurance

mechanisms, continuous monitoring, and in-service training of teachers are currently being intensified as a means of motivating them.

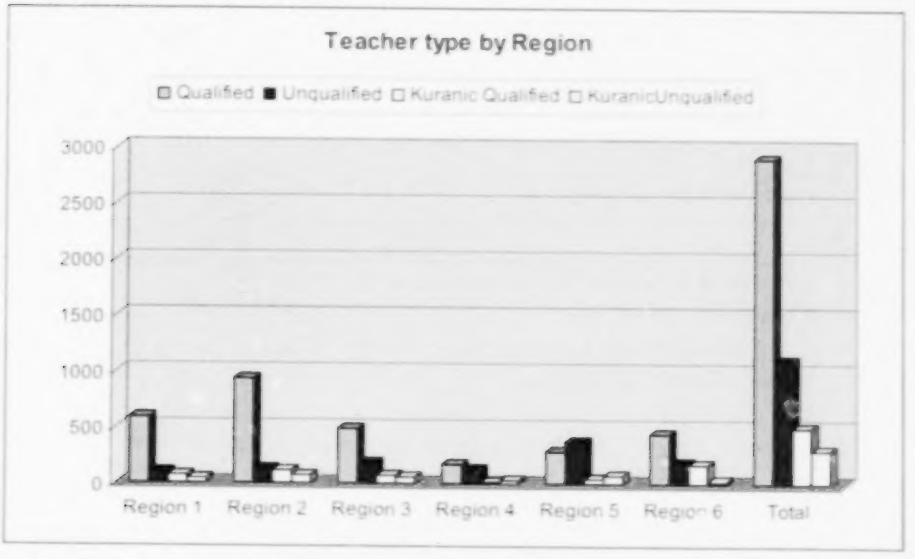
196. Student teacher ratio reaches very high levels in some areas. To meet the demand for more teachers, the Gambia Teacher Training College has significantly enhanced its intake of students over the past five years, resulting in an increase of 1,024 qualified teachers with a Primary Teacher's Certificate and 1,034 with a Higher Teacher's Certificate. Higher Teacher's Certificate holders have been offered additional training to the degree level, with these graduates returning to basic schools and management positions in the Department of State for Education to enhance the quality of teaching and learning in the system.

Table 36
Student/Teacher Ratio by Region

Regions	*Student /Teacher Ratio*
1 Banjul KMC	60:1
2 Brikama	42:1
3 Kerewan	39:1
4 Mansakonko	32:1
5 Janjanbureh	28:1
6 Basse	22:1

Source: DOSE EMIS 2000 to 2005 Data.

Figure 5
Teacher Type by Region



Source: Review of the 2000-2005 National Budget Allocation to the Attainment of Millennium Development Goals 2-7 in the Gambia, UNICEF.

197. The Gambia was awarded a grant of US$ 4 million in 2005 under the Education for All/Fast Track Initiative. This fund was utilised, among other things, to help strengthen teaching and learning in schools through the provision of sufficient educational materials,

and the establishment of a comprehensive structure of cluster and school-based monitoring of teaching and learning.

198. Based on the evident impact of the 2005 Fast Track Initiative intervention, additional disbursements of US$ 3.6 million were given to the education sector in 2006 targeted toward classroom construction and rehabilitation, gender mainstreaming, quality of teaching and learning, and institutional strengthening.

199. The World Food Programme provides financial support to the Schools Feeding Programme by supply two nutritious meals to 60,000 children every school day. The effect so far has been positive, with enrolments higher in areas where the programme operates. ECDCs also receive food support.

G. Rest, leisure, recreation, and cultural and artistic activities (art. 31)

200. The Children's Act 2005 establishes in Part II, section 16, that:

> "A child has the right to participate in sports, or in positive cultural and artistic activities or other leisure activities."

201. All schools are required to have adequate recreational facilities (playgrounds) for pupils to engage in sports or other leisure activities.

202. National Assembly members receiving training on child-friendly budgeting identified the Department of State for Youth, Sport and Religious Affairs as one in need of a larger allocation, in order to reach and provide positive activities for the country's increasing number of young people.

H. Children speak on education

203. At a two-day forum in the Banjul area and a one-day bantaba in the interior, children ages 11 to 18 provided their views on schools and education. In the Banjul area, children reported the following:

Table 37
Children's Views on Education

	True	*False*
1. Teachers listen to students' opinions on matters that affect the students	19	1
2. Teachers treat you with respect	19	1
3. All students are treated equally, regardless of religion, disability, etc.	15	5
4. There is no bullying in your school	13	7
5. My school teaches me to respect the environment	19	1
6. My teachers help me understand my talents so I can develop to my fullest potential	18	2
7. My teachers encourage me to do my best	18	2
8. My school teaches me about children's rights	12	8
9. Students in my school help teachers make classroom rules	12	8
10. My school is a safe place for everyone	18	2

(Children's Forum on CRC and the Periodic Report, December 2007).

204. In addition, the students listed the following changes that they would like to see in schools:

- To involve students more in the decision-making process;
- For there to be non-discrimination in the classroom regardless of a student's performance and for all students to be treated equally;
- For the playground to be made with beach sand so it is safer for playing;
- Closing time to change;
- For the school bus to drop students at their gate to ensure they arrive home safely;
- For students to respect their elders;
- Students should be given the chance to choose subjects apart from the co-op subjects;
- For the school to have a library or for the library to have more books;
- For teachers to listen to their students;
- More materials in the classroom;
- To eradicate corporal punishment [this was listed by the majority of students];
- To reduce the number of students in a classroom;
- For schools to hire good teachers who will teach properly in order for students to pass their exams;
- The way the head teacher treats the children;
- For the school to have computers;
- For the school not to expel or suspend students;
- A cleaner school environment;
- For the toilets to be cleaned everyday because they are very dirty;
- For the school to inspect foods that are sold in schools;
- The uniforms styles should change; uniforms should be comfortable.

I. Challenges

205. The absence of adequate financial and human resources impedes progress in the educational system. Low remuneration limits the attractiveness of teaching and educational management positions at all levels. In addition, traditions, customs, and interpretations of religious beliefs can obstruct government initiatives at times.

VIII. Special protection measures (arts. 22, 30, 32–36, 37 (b)–(d) and 38–40)

A. Children in situations of emergency

1. Refugee children (art. 22)

206. Disaggregated data, with country of origin, nationality, accompanied or unaccompanied status and the total number of internally displaced, asylum-seeking and refugee children is not available at present.

207. According to the 2007 World Refugee Survey, 14,400 refugees and asylum seekers entered The Gambia in 2006, the majority from Senegal (7500, including 6400 refugees) and Sierra Leone (6600) (report available at http://refugees.org). According to the Study on the Sexual Abuse and Exploitation of Children in The Gambia (2003) about 46% of refugees entering The Gambia are under the age of 18.

208. Refugee children had access to education through grade nine, sponsored by UNHCR and the Gambia Food and Nutrition Association (GAFNA). The Constitution extends the right to education, including free primary instruction, to "all persons," presumably including refugees. In addition, the Children's Act 2005 in Part II, section 18 states:

> "Every child has a right to free and compulsory basic education and it shall be the duty of Government to provide the education."

209. Vocational training was available for refugees but limited by available funding. GAFNA also provided micro-credit loans, material assistance for funerals and childbirth, health services, and recreational equipment.

210. The Constitution extends the rights to free movement, residence, and departure to "Every person lawfully within The Gambia" but reserves the right to re-enter to nationals.

211. The Gambia is party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol with reservations on the clauses providing exemptions for refugees from exceptional and provisional measures, the right to work, labour protection, social security, and administrative assistance. In terms of labour, refugees are exempt from restrictions after four years in The Gambia, rather than three, and refugees with national spouses or children do not receive special consideration.

212. The Gambia is also party to the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa. It has no refugee law per se, but the Ministry of the Interior has a unit dedicated to screening asylum seekers for refugee status, monitored by UNHCR.

213. The Economic Community of West African States (ECOWAS) Protocol on Free Movement of Persons, the Right of Residence and Establishment grants those from ECOWAS nations with passports and health certificates visa-free entry and legal stay for 90 days; however, The Gambia limits this to 30 days, reducing the time asylum seekers have to regularize their status.

214. The Immigration Law allows authorities to detain any persons arriving without a passport for up to 48 hours if they could not adequately explain their lack of documentation, but there were no reports of this during 2006. During 2006, the Government issued about 900 identification cards to refugees. None of the 6,400 Senegalese refugees who arrived during 2006 received cards, although the Government planned to issue them in 2007. Gambia did not restrict the residence of refugees, and the 6,400 who arrived from Senegal in 2006 settled freely in villages along the border. Gambia's Immigration Department did not grant refugees any international travel documents in 2006. Two students applied, but their requests were still pending at year's end, as the Government required proof of their admission to foreign colleges.

2. Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)

215. The Children's Act 2005 states in Part IV, Heading F, section 59:

> "(1) A child shall not be recruited into any of the branches of the armed forces of The Gambia or other security agencies.
>
> (2) The Government or any other relevant agency or body shall ensure that no child is directly involved in any military operations or hostilities."

216. No one under 18 is permitted to enlist in the armed forces and, therefore, there are no children serving in the armed forces or participating in hostilities. Presently The Gambia enjoys peace and a freedom from armed conflict, which means that there are thankfully no child casualties due to armed conflict and no need for social reintegration or follow-up medical and psychological treatment.

B. Children in conflict with the law

1. Juvenile justice (art. 40)

217. The 2001 Concluding Observations recommended raising the age of criminal responsibility, prohibiting the death penalty, abolish the use of corporal punishment within the juvenile justice system, and strengthening rehabilitation programmes. The Children's Act 2005 establishes the minimum age of criminal responsibility as twelve years (Part XVII, section 209), raising it from seven years. The death penalty for children has been prohibited (Part XVII, section 218). The Children's Act provides for the establishment of a National Rehabilitation Centre for children (Part XVII, section 223), but this has not yet come into being.

218. Disaggregated data on arrests of children and legal cases involving children, including outcomes, sentences, and recidivism rates, is not available. Legal assistance is available from the Department of State for Justice, as well as from NGOs such as FLAG. There are no existing rehabilitation centres. The establishment of rehabilitation centres is recognized as an urgent priority, but implementation is limited by lack of resources.

219. Overall, the administration of juvenile justice has greatly improved especially with the enactment of the Children's Act 2005, which makes provision for the establishment of the children's court, child justice administration and other matters incidental to it.

220. Section 168 of the Children's Act states:

> "There shall be a court to be known as the Children's Court in every division, and any other local government administrative unit designated by the chief justice in the Gazette".

221. Section 213 of the Act indicates that:

> "a children's Court shall have jurisdiction to hear and determine all criminal charges against a child except treason and an offence for which a child is jointly charged with an adult".

222. Presently there is only one children's court sitting in Kanifing Magistrate Court to hear all juvenile cases throughout the country. The effectiveness of this court in the juvenile justice delivery system cannot be overemphasized. In collaboration with other stakeholders, the judiciary plans to decentralise these courts so that there is one in every region as stated in the above section.

223. The children's court consists of three members including the presiding magistrate. Court proceedings are flexible and can serve the best interests of the child rather than the rigid rules of procedure of the regular courts. Proceedings are held in camera, not open to the public, and neither the identity of the child nor information leading to the identification of the child may be published.

224. If a child commits an offence, he\she is given maximum protection at every stage, from arrest, to detention, investigation and arraignment. In all cases the child is always accompanied by the parent\guardian and social welfare officer. Their presence alone would help to discourage any decision or act that is not in the best interest of the child.

225. Apart from the establishment of the children's court, there are child welfare units within the law enforcement agencies or security units, i.e., Police and Armed Forces. All of these offices are trained in child rights and child protection issues, and they handle cases involving children jointly with the Department of Social Welfare. The mandate is to prevent, protect, and rescue children from all forms of abuse, violence and exploitation. (before, during and after):

- Prevent and control child offences;
- Apprehend children accused of committing offences;
- Investigate child offences;
- Perform such other duties as may be referred to the unit under this Act or by any other enactment.

226. In 2003 the Department of State for the Interior (which includes the Gambia Police Force) and the Department of Social Welfare created a formal after-arrest procedure for children in conflict with the law. These guidelines are in line with international standards and have been provided to every police station in The Gambia in book form. This book is in use throughout the country. Mechanisms such as this are put in place to discourage and avoid police brutality.

227. After the arrest of a child, the police immediately inform the parents or guardians of the child as well as the Department of Social Welfare. These advocates are present during the interviewing of the child and for discussion on the case, which may be settled at the police level in the event of a minor case under section 207, which empowers the police for case disposal. A social worker works with the child and his or her parents and serves as an advocate for their concerns. In some cases the child welfare officer or social worker mediates in the case between the child's family and the victim's family.

228. The Children's Act 2005 categorically states that a child shall not be subject to the adult criminal justice process or to criminal sanctions for adults. It should be noted that initially juveniles who are convicted and sentenced are not isolated from adults convicts due to lack of infrastructure and financial constraints. But we now have a juvenile wing at the Old Jeshwang prisons for those serving custodial sentences or on remand. The wing has a rehabilitation programme where a teacher and a social worker from the Department of Social Welfare provide services. In addition, the Department of Social Welfare and YMCA facilitate visits by family members. This helps prepare the children for reintegration. The juvenile wing can only accommodate male offenders; female offenders are normally kept in well-secured homes designated by the competent authority under the supervision of a welfare officer.

229. In most cases the young offenders are granted bail by magistrates except in exceptional circumstances. The Children's Act states that detention pending trial can only be used as a last resort and for a shortest possible period of time. That remand shall not exceed six months or three months depending on the nature of the offence. It is important to note that the children's court makes certain restrictions on the punishment to be imposed on child offenders. For instance, where an expectant or nursing mother is to be sentenced, the court would impose a non-institutional sentence as an alternative measure to imprisonment. If upon completion of nursing period further sentence is given for imprisonment then that child shall be treated as a child in need of care and protection and may be committed to the care of those persons who would ordinarily have custody.

230. Upon completion of the trial, the presiding magistrate takes into consideration the social welfare enquiry report in making decisions. This report gives the court comprehensive information on the child's social background as well as a medical report on his/her physical and mental state of mind.

231. It can be strongly said that to a large extent The Gambia have satisfactorily complied with the international standard requirement as outlined in the Convention for an effective juvenile justice delivery system. But it should be noted that it is not just enough to have the necessary legislation (Children's Act 2005) with partial implementation. There is need for the establishment of adequate rehabilitation centre with the appropriate facilities. This is one of our major constrains because the whole purpose of having an effective juvenile justice delivery system is to make sure that the child is rehabilitated and reintegrated into the society.

232. The judiciary in collaboration with social welfare, NGOs and other stakeholders should therefore endeavour to work towards the establishment of necessary institutional framework.

233. In terms of training, the Police Force offers a child protection training manual for police officers, which is used at the police training school. This training helps ensure that cases of abuse, maltreatment, neglect and exploitation of children are properly handled. An after-arrest procedure system has been developed for young offenders and is in a book available in all police stations.

234. Prison officers have a manual on juvenile justice training, which is currently used at the prison training school. In addition, the Gambia Police Force in collaboration with other stakeholders has conducted a series of training workshops for security personnel, including the Police, Army, Immigration, and the Fire and Ambulance Service. Presently security officers from different units are undergoing training at the SOS Adult Mother Training Centre to earn a certificate in social work, which will help the officers know their correct position and procedures when dealing with a child.

2. Children deprived of their liberty, including any form of detention, imprisonment and placement in custodial settings (art. 37 (b)–(d))

235. Disaggregated data on the number of persons under 18 held in police stations, pretrial detention, or other facilities is not available, nor are there records on the length of sentences or cases of abuse and maltreatment.

236. The Children's Act 2005, Part XVII, section 218 states:

"A child shall not be:

(a) Ordered to be imprisoned; or

(b) Subjected to the death penalty or have the death penalty recorded against him or her."

C. Children in situations of exploitation (art. 39)

1. Economic exploitation, including child labour (art. 32)

237. The Children's Act 2005 establishes the minimum age for light work as 16 years old; light work is defined as "work which is not likely to be harmful to the health or development of the child and does not affect the child's attendance at school or the capacity of the child to benefit from school work." The Act prohibits engaging children in exploitive labour, night work, hazardous work (including going to sea, mining and quarrying, carrying heavy loads, working with chemicals or machines, or working in places where they might be exposed to immoral behaviour).

238. Children may commence an apprenticeship with a craftsperson at 12 years old or after completing basic education.

Prohibition of Child Labour – Labour Act 2007

239. Under this new legislation, children are prohibited from working in public or private agriculture, industries or non-industrial undertakings except for vocational, technical school or other training institutions that are approved and supervised by public authorities.

240. Children are also prohibited from working in hazardous conditions harmful to their health, safety, education, morals or development. While the Children's Act 2005 lists fine upon conviction of fifty thousand dalasis or imprisonment for a term not exceeding three years, the new legislation increases the fine to one hundred thousand dalasis, imprisonment of a term not exceeding five years, or both.

241. The 2007 MICS survey indicates that 20.4% of male children and 28.7% of female children aged 5-14 work, with the greatest number involved in a family business. More rural than urban children work, and, oddly enough, younger children (ages 5-9) work in greater numbers than older children (ages 10-14). The less educated the mother and the poorer the family, the more likely children are to work.

Table 38

Child Labour

Percentage of children aged 5-14 who are involved in child labour activities by type of work, The Gambia, 2006

	Working outside household		*Household chores for 28+ hours/ week*	*Working for family business*	*Total child labour**	*Number of children aged 5-14*
	Paid work	*Unpaid work*				
Sex						
Male	7	2.9	1.0	17.5	20.4	6467
Female	4	3.6	2.6	24.4	28.7	6942
LGA						
Banjul	4	0	5.9	7.4	11.5	313
Kanifing	9	3.0	3.2	8.6	12.9	2848
Brikama	6	6	2.9	18.3	20.8	3436
Mansakonko	9	8.2	1.8	26.1	32.4	1064
Kerewan	2	1.7	3	35.3	36.1	1718
Kuntaur	1.0	2.4	0	23.4	25.6	994
Janjangburch	2	12.7	7	22.0	32.5	1201
Basse	1	2.2	3	30.2	31.8	1836
Residence						
Urban	7	2.8	2.9	12.9	16.9	4482
Rural	5	3.6	1.3	25.2	28.6	8928
Age						
5-11 years	5	4.2	1.0	26.7	29.5	9567
12-14 years	6	1.1	3.9	7.2	12.8	3842
School participation						
Yes	5	3.6	2.2	20.3	24.2	8815
No	6	2.7	1.1	22.7	25.6	4594
Mother's education						
None	5	3.3	1.6	22.7	26.1	10993

	Working outside household		Household chores for 28+ hours/week	Working for family business	Total child labour*	Number of children aged 5-14
	Paid work	Unpaid work				
Primary	6	3.6	2.8	16.9	21.4	1056
Secondary +	7	2.5	2.8	11.9	16.1	1360
Wealth index quintiles						
Poorest	5	5.6	1.2	29.3	33.7	2965
Second	5	3.6	1.8	26.1	29.1	2931
Middle	8	2.9	1.4	20.9	24.6	2718
Fourth	5	2.7	1.9	17.8	21.1	2572
Richest	4	1.6	3.2	7.7	11.3	2223
Ethnicity						
Mandinka	7	3.9	1.9	21.3	25.2	4861
Wollof	4	3.7	1.3	20.3	24.0	1692
Fula	5	3.2	1.6	23.0	26.3	2667
Jola	8	1.5	3.1	20.5	24.0	1382
Serer	0	2.2	3.5	11.3	15.0	431
Other ethnic group	5	3.0	1.3	21.2	24.7	2376
Total	**.6**	**3.3**	**1.8**	**21.1**	**24.7**	**13409**

* MICS indicator 71

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005-2006 Report, Banjul)

242. The CPA Children's Bantaba indicated a markedly higher percentage of children working: 92% of the boys and 84% of the girls. For boys stating that they work, 75.7% said that they worked on a farm or garden, while 21.6% said they worked in the house. For girls, the percentages were 57.1% in a farm or garden and 42.9% in the house. Half of the girls said they worked two days a week, with 29% saying that they worked seven days a week. The largest number of boys (29.7%) also said they worked two days a week, with 21.6% working three days a week and 18.9% working seven days a week. The Bantaba was not a random sample, and it is possible that the participants did not all have the same definition of "work." However, both of these surveys show that many children either work or perceive themselves as working.

243. According to the MICS-III survey, the majority of working children also attend school; however, their rate of attendance is lower than that of children overall, as seen in the following table. Children who work are eligible for the same educational services as all children in The Gambia. However, there are few programmes specifically providing outreach to them.

Table 39

Student Labourers

Percentage of children aged 5-14 who are labourer students and student labourers, The Gambia, 2006

	Percentage of children in child labour*	Percentage of children attending school***	Number of children 5-14 years of age	Percentage of child labourers who are also attending school**	Number of child labourers aged 5-14	Percentage of students who are also involved in child labour****	Number of students aged 5-14
Sex							
Male	20.4	66.9	6467	65.8	1320	20.1	4327
Female	28.7	64.7	6942	63.6	1993	28.3	4488
LGA							
Banjul	11.5	84.4	313	(87.1)	36	11.8	264
Kanifing	12.0	81.1	2848	81.4	368	13.0	2310
Brikama	20.8	76.7	3436	85.0	716	23.1	2637
Mansakonko	32.4	76.7	1064	82.9	345	35.0	817
Kerewan	36.1	45.3	1718	42.7	620	33.9	779
Kuntaur	25.6	37.5	994	38.3	254	26.2	373
Janjangbureh	32.5	67.1	1201	76.1	390	36.8	805
Basse	31.8	45.2	1836	43.4	584	30.5	831
Residence							
Urban	16.9	79.4	4482	80.0	757	17.0	3559
Rural	28.6	58.9	8928	59.9	2556	29.1	5257
Age							
5-9 years	29.5	62.6	9567	63.9	2821	30.1	5988
10-14 years	12.8	73.6	3842	67.9	491	11.8	2827
Mother's education							
None	26.1	61.8	10993	61.7	2867	26.1	6789
Primary	21.4	77.1	1056	79.3	226	22.1	814
Secondary +	16.1	89.1	1360	85.9	219	15.5	1212
Wealth index quintiles							
Poorest	33.7	47.8	2965	50.1	999	35.2	1419
Second	29.1	63.0	2931	66.3	854	30.7	1846
Middle	24.6	63.9	2718	67.3	669	25.9	1736
Fourth	21.1	74.0	2572	74.7	542	21.3	1904
Richest	11.3	85.9	2223	86.2	251	11.3	1911
Ethnicity							
Mandinka	25.2	68.4	4861	72.5	1223	26.2	3325
Wollof	24.0	54.9	1692	43.0	406	18.8	928
Fula	26.3	55.7	2667	53.3	701	25.1	1486
Jola	24.0	82.0	1382	85.8	332	25.1	1134
Serer	15.0	75.3	431	72.7	65	14.5	325
Other ethnic group	24.7	68.1	2376	63.1	586	22.9	1617
Total	**24.7**	**65.7**	**13409**	**64.5**	**3313**	**24.2**	**8815**

** MICS indicator 72

**** MICS indicator 73

(GBoS, 2007, The Gambia Multiple Indicator Cluster Survey 2005/2006 Report, Banjul)

244. The Republic of The Gambia ratified the International Labour Organization (ILO) Convention concerning Minimum Age of Admission to Employment (No. 138) in September 2000 and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) in July 2001. In summary, the legal framework exists for the prevention of child labour, but the practice still exists with few sanctions.

2. Drug abuse (art. 33)

245. There has been significant improvement on drug control. We now have legislation, the Drug Control Act 2003, with virtually all the relevant provisions for the prevention and control of drug abuse and the sale of prohibited and controlled drugs.

246. The Drug Control Act 2003 established the National Drug Control Council, now the National Drug Enforcement Agency (NDEA). Part 11 section 15 of the Drug Control Act 2003 specifically refers to the functions of the agency, including amongst others:

- The study of and advice to the Secretary of State on measures to be taken to prevent the misuse of drugs;
- Social problems connected with drugs;
- Restrictions on drugs likely to be misused;
- Public education on the harmful effects of the use of prohibited drugs;
- Support for research on misuse of drugs and related social problems.

247. NDEA officials are now responsible for the prosecution of drug cases. There is a drug court in Brikama which sit once a week to hear only drug cases. These officers have the power to inspect, investigate, enter, detain, and search premises.

248. The Drug Control Act 2003 empowers the drug court to impose heavy fines for offenders found in possession of prohibited drugs, for example, cannabis (ref to sec 3):

- Found in possession for the purposes of trafficking if weight is 2kg upwards (ref to sec 43(49)(c) of the same Act as amended);
- Found in possession for drug trafficking.

249. Heavy fines are also levied on those found with cocaine. Other preventive measures have been put in place, for instance, forfeiture of assets derived from the proceeds of the sale of drugs.

250. The NDEA has succeeded in reducing the sale of drugs within and outside the country. The Drug Control Act 2003 provides for international cooperation and assistance to other countries when it comes to obtaining information, processing document, getting witnesses, extraditing offenders, and so on.

251. The National Drug Enforcement Agency reports no cases of drug abuse involving persons under the age of 18. However, on an anecdotal level, "everyone knows" that young people are involved in substance abuse. At the two-day forum where children in the Greater Banjul Area discussed this report, boys ages 11 to 20 listed "drug abuse" as the issue about which they felt most vulnerable. The scale of this problem has not been measured. Little or no treatment or rehabilitation is available for those addicted to drugs or suffering psychiatric problems caused by drug abuse.

3. Sexual exploitation and sexual abuse (art. 34)

252. At the same two-day forum mentioned above, all girls in attendance listed "sexual abuse and exploitation" as the issue about which they felt most vulnerable.

253. The Government of the Gambia with support from UNICEF conducted a study on sexual abuse and exploitation of children in 2003. The study explored the underlying causes of sexual abuse and exploitation, examined the attitudes of children and adults to it, and made and recommendations for remedying the situation.

254. The report described the most visible form of sexual abuse of children to be one that is widely acceptable: early marriage. One of the areas most discussed by the children interviewed was sexual harassment of schoolgirls, particularly by male teachers but also by other students. Incest was acknowledged by both adults and children, but they largely believed that it was inappropriate to report matters of incest to the police or other authorities, but felt rather than the family should resolve the matter privately with the assistance of religious and traditional elders and protect the identity of the child.

255. From a non-random, non-representative sample of prostitutes, the following data emerged:

Table 40
Prostitution

Variables	*Total sample (60 persons engaged in prostitution)*	*Sub-Group A (14 children engaged in prostitution)*	*Sub-Group B (6 case studies)*
Sex			
Female	59	13	5
Male	1	1	1
Age			
17 and under	14	14	4
18 to 25	28	0	2
Nationality			
Nigerian	3	0	0
Senegalese	22	1	0
Sierra Leonean	6	0	0
Liberian	2	1	1
Guinean (Conakry)	4	0	0
Benin	2	0	0
Gambian	21	10	4
Education			
None	29	2	1
Some Primary	11	3	1
Some Junior Primary	12	9	4
Some Junior Secondary	7	0	0
Some Advanced	1	0	0
Marital Status			
Never married	32	11	4
Married	1	0	0
Separated	9	3	2
Divorced	17	0	0
Widowed	1	0	0

Variables	*Total sample (60 persons engaged in prostitution)*	*Sub-Group A (14 children engaged in prostitution)*	*Sub-Group B (6 case studies)*
Number of children			
None	20	8	3
One	23	5	2
Two	9	1	1
Three	7	0	0
Four	0	0	0
Five	1	0	0
Residence			
On own	6	1	2
Motel/brothel	20	0	0
Friends	12	0	0
Boyfriend	7	4	2
Family compound	14	9	2
Refugee camp	1	0	0
Age at entry			
17 and under	31	14	6
18 to 25	21	0	0
26 and above	8	0	0
Duration in prostitution			
Less than one year	10	10	2
1 to 5 years	39	4	3
6 to 10 years	9	0	0
Above 10 years	6	0	0

Source: Study on the Sexual Abuse and Exploitation of Children in The Gambia, 2003.

256. The most frequently cited examples of cross-generational sex involved young girls and "sugar daddies." The majority of these culprits are married men over 35, with their victims ranging in age from 12 to 25. The overwhelming cause of this kind of abuse is poverty. Measures to decrease the overall level of poverty in the country would make this kind of abuse much less attractive to the victims.

257. Given the low level of national awareness of child sexual abuse and considering that the whole subject is considered taboo, it is difficult for researchers to determine or estimate the prevalence of child sexual abuse or assess the impact it has on victims. There are few official reported cases of child sexual abuse, possibly in part because victims as well as perpetrators are stigmatised.

258. Nevertheless, a national plan of action on combating sexual abuse and exploitation of children and guidelines on combating sexual harassment in school are being developed and implemented. A children's shelter is available and in use for the rehabilitation of victims of sexual abuse. A child helpline gives children access to protection and advice twenty-four hours a day. Victims of forced marriage, sexual and physical abuse are sent to the Department of Social Welfare for care and protection before being finally reintegrated to their families by the Department.

259. In terms of legislations, the Tourism Offenses Act 2003 and Children's Act 2005 give law enforcement officers powers to combat child sex tourism. In addition, UNICEF supported the development and printing of a Tourism Code of Conduct, which has since been signed by many hotels, restaurants and bars in the tourism industry. UNICEF also supported the production of communication materials, including 60,000 brochures, 1000 posters and 1000 Code of Conduct certificates for distribution. The Gambia Tourism Authority and the Department of State (Ministry) for Tourism distributed information materials on the Tourism Code of Conduct, the Tourism Offence Act and Child Sex Tourism to tourists in the airport, hotels, motels, and restaurants.

260. Tourism Security personnel have undergone a series of training on child abuse and exploitation organised by stakeholders, CPA, UNICEF, the Gambia Tourism Authority, the Department of State for Tourism, and the Department of Social Welfare. This gives great awareness among security officers when dealing with child offenders and victims. Members of the Tourism Security Unit now patrol the Tourism Development Area with mobility equipment provided by UNICEF.

261. Disaggregated data on the number of children involved in sexual exploitation, including prostitution, pornography, trafficking, sexual abuse, sale or abduction of children is not available.

4. Other forms of exploitation (art. 36) — Almudus

262. Almudus, or children placed under the guardianship of Islamic religious education teachers called marabouts, may be vulnerable to certain types of exploitation. No formal study on this issue has taken place. The NGO Shelter for Children carried out a study from 2003-2004 on "Trafficking and the Use of Children in All Forms of Economic Exploitation." The report identified specific cases of child labour and numbered almudus at over 2000 in the Senegambia region, with most said to come from Mali, Niger, and Burkina Faso. Since the results for Senegal and The Gambia were not separated, it is in doubt whether these figures represent the situation in The Gambia and the 2007 validation committee for this report judged the information to be incorrect.

5. Sale, trafficking and abduction (art. 35)

263. Before 2004, child trafficking was not considered to be an issue in The Gambia. That year an incident in Ghana Town, a fishing community south of Banjul, led to the eventual repatriation of 12 unaccompanied children to Ghana. The two countries concluded a bilateral cooperation agreement on child trafficking the following year to prevent future incidents.

264. A "rapid assessment" study on child trafficking was carried out in 2004. In addition to the Ghanaian case, the study identified six unaccompanied Senegalese children who were repatriated by the Senegalese High Commission that year. Various child trafficking networks and patterns were described in the study, however, no evidence or actual cases have emerged to date to support the allegations.

265. The Government of The Gambia takes this issue seriously and has enacted various legal protections for children. The Children's Act 2005 specifically prohibits trafficking and slave dealing. Section 39 of the Act states:

> "a person shall not be engaged in child trafficking or recruit, transport, transfer, harbour or receive a child by mans of threat, force, or other form of coercion, abduction, fraud, deception, abuse of power or position or otherwise, for the purpose of sexual exploitation or any form of exploitation".

266. This section goes on to explain that the child's ostensible consent does not provide a defence to the charges.

267. Section 40 of the Act goes on to address slave dealing:

> "Persons shall not import, export or otherwise deal or trade in, purchase, sell, transfer, take or dispose of a child as a slave."

268. The above provisions were made before the enactment of the Trafficking in Persons Act 2007. This Act deals exclusively with the prohibition of trafficking in persons and related offences. The Act the also provides for the prevention, suppression and punishment of those engaged in the trafficking in persons and to rehabilitate and reintegrate victims of trafficking and for other matters connected therewith.

269. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, was signed by The Gambia in December 2000 and ratified in May 2003. In 2001, the 15 governments of the ECOWAS plus Mauritania signed a Plan of Action against Trafficking in Persons. The implementation of the Plan started in June 2003. In addition, The Gambia acceded to the International Co-enant on Civil and Political Rights in 1979, the International Covenant on Economic, Social and Cultural Rights in 1978 and the Convention on the Elimination of All Forms of Discrimination against Women in 1992. The Gambia is a signatory to the World Tourism Organization Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. All these conventions, which are part of international law, place binding obligations on the Government through all necessary legislative, administrative, and judicial actions to prevent and protect children from sexual abuse and exploitation.

D. Children belonging to minority or indigenous groups (art. 30)

270. Children in these categories do not suffer discrimination in The Gambia. All tribes, including minority tribes, enjoy the same rights and live harmoniously. Members of smaller tribes do not suffer persecution, and intermarriage has linked many families. Freedom of religion is valued and promoted. Approximately 90% of the people in The Gambia are African, so indigenous groups actually form the majority of the population.

E. Children living or working on the street

271. A February 2006 study undertaken by UNICEF and the Christian Children's Fund provides a baseline assessment of children living and working in the streets of Banjul. The typical preconception of a street child, being destitute, without parents or fleeing abusive domestic conditions, does not accurately reflect the vast majority of children's lives in Banjul.

272. The study sample consisted of 160 girls and boys between the ages of 7 and 18 years living or working on the streets. Most of the children in the sample were not from the Greater Banjul Area. In fact, 38% were from Senegal and other countries in the sub-region. The vast majority of children sampled lived at home and commuted to the streets to work (72%). Many of those not sleeping at home lived at their place of work or dara (Quranic school). Most came to Banjul looking for work and educational opportunities.

273. Children on the streets engage in different work activities. Girls tend to end up selling things, while boys often do odd jobs including sweeping or carrying items. In addition, many boys beg, which is associated with their involvement in a dara or majlis. Many work long hours and are exposed to risks such as violence or work related injuries. 39% of children said that they were injured working, and 28% of those injured indicated that they suffered a severe injury. 87% of children report being beaten at least once on the streets. 37% of children report being beaten more than once, while 13% of children said that they were beaten almost daily.

274. Reported sexual activity is not particularly high. However, of those children who are sexually active, very few protect themselves from sexually transmitted infections. Furthermore, their understanding of HIV/AIDS and the means of prevention is very low.

275. 38 percent of children indicated that they have severe health problems, 92% of these identified malaria as the disease they suffered. Just 56% of the children reported attending school; of those attending school, 57% said they had not been absent in the past month and 33% said that they only missed a few days. Girls are more likely to attend school than boys (60% compared to 54%).

276. Following the study, five hundred and fifty children in the streets benefited from a project implemented by the Christian Children Fund and Department of Social Welfare with financial assistance from UNICEF. Based at Standard Chartered Bank Children Care Centre, the project provides care and protection for children who are living or working in the streets, including vendors and beggars. The project has field workers who carry outreach activities. The children are supplied with second-hand clothes, toothpaste and toothbrush, soap, towels, buckets, educational materials, and so on. They also have free access to medical care and non-formal education. The children's caregivers receive skills training in tie dying and soap making. Department of Social Welfare also gives financial relief assistance to destitute families as well as educational sponsorship to over one hundred and fifty children.

277. In addition to these projects, the Department of Social Welfare offered consultations and training with security officers, marabouts, market vendors and car park officers to sensitize them to issues related to children on the street. In particular, marabouts were educated on the risks associated with street begging. As part of the sensitization process, a documentary on street children was created.

278. In some cases, children are returned to their families by the Department of Social Welfare, which works with the families to teach them about child rights and the various risks associated with living and selling on the streets. For 90 children who had either dropped out or never been to school, the Department of Social Welfare facilitated their admission to school with educational sponsorship by the Department.

IX. The two Optional Protocols to the Convention on the Rights of the Child

279. The Gambia signed the two Optional Potocols in December 2000 and ratified both Optional Protocols without reservations in March 2008.

X. Recommendations

280. A two-day forum, locally known as the Children's Bantaba was organized by the Child Protection Alliance, to solicit input from children of The Gambia for this periodic report and the children made various comments and recommendations with regards to children's rights and liberties in the Gambia which is reflected all through this report.